

# A.C.L.U. Report Says Police Harass the Panthers

By ROBERT D. McFADDEN

A survey of nine metropolitan areas by the American Civil Liberties Union has produced charges that law enforcement as applied to Black Panthers is a pattern of provocative and punitive harassment, denying to black militants the right of free political expression.

The survey, covering police raids, arrests, clashes and infiltration of Panther groups over the last year, was made by affiliates of the liberties union in the last three weeks. It was prepared for submission to an independent commission investigating clashes in which 19 Panthers have died violently since March of 1968.

The 28-member commission is headed by Arthur J. Goldberg, former Justice of the Supreme Court, and Roy Wilkins, head of the National Association for the Advancement of Colored People.

Documented in the study were instances in which paid police informers allegedly infiltrated Panther groups. The report charged that the informers had attempted to induce the Panthers to commit burglaries and in some cases had provided them with weapons, maps of prospective targets and getaway cars.

The data included alleged "repeated arrests" of Panthers while they were distributing political literature and numerous police raids in which Panthers were arrested on allegedly "specious charges" and their meeting places were ransacked.

A report on the survey results, released here yesterday by John de J. Pemberton Jr., executive director of the civil liberties group, charged that "across the country law enforcement officials are waging a drive against the black militant organization resulting in serious civil liberties violations."

Spokesmen for the police departments in San Francisco, Los Angeles, Chicago, Philadelphia and New York, where most of the data were compiled, declined to comment yesterday on the charge. The liberties group also obtained information from affiliates in the major metropolitan areas of Indiana, Connecticut, Wisconsin and Michigan.

Mr. Pemberton said that the survey had been prompted by police raids on Panther headquarters in Chicago on Dec. 4 and in Los Angeles on Dec. 8.

In the Chicago raid, the Illinois chairman of the party and a Peoria party leader were killed. Three Panthers and three policemen were injured in a four-hour gun battle in the Los Angeles raid.

In addition to the inquiry by the independent commission



Associated Press

**David Hilliard, Black Panther party official, being interviewed on TV program. He discussed his statement about President Nixon.**

headed by Mr. Goldberg and Mr. Wilkins, the clashes have also prompted investigations by the Justice Department, a Federal grand jury in Chicago and five Negro Congressmen.

In its report yesterday, the liberties union said that law enforcement as applied to Black Panthers "has amounted to provocative and even punitive harassment, defying the constitutional rights of Panthers to make political speeches, or distribute political literature."

The report cited "repeated arrests of Panthers" in San Francisco, Los Angeles, Chicago, Philadelphia and New York "for distributing papers without a permit."

Asserting that the charges were seldom upheld in court, the report said: "We view this style of law enforcement, as applied with prejudice to the Panthers, as inflammatory and very susceptible to escalation into violent confrontations."

In Chicago last June 4, the

liberties union said, the police raided a Panther headquarters with an arrest warrant for one member but no search warrant.

After "smashing down the door" and failing to find the fugitive, the report said, the police "broke up furniture, confiscated literature, lists of donors and petitions, and arrested eight Panthers on charges so flimsy they were later dismissed."

The report said that in Detroit on June 5 a similar police raid was made in which a door was broken in, documents were photographed and three Panthers arrested on "specious charges" that it said were later dismissed.

The report said that about the same time in New York paid police informants who had infiltrated a Panther group "attempted to induce black militants to burglarize" and provided them with weapons, maps and a getaway car.

In a similar case in Indianapolis, a police infiltrator offered a Panther group "automatic weapons" as an inducement to commit burglary, the liberties union charged.

The liberties union said that reports from the 18 affiliates that had taken part in the survey "do not prove a directed national campaign to get the Panthers."

Nevertheless, it charged that "high national officials, by their statements and actions, have helped to create the climate of oppression and have encouraged local police to initiate the crackdowns."

As examples of such statements, the union quoted Vice President Agnew as calling the Panthers "a completely irresponsible, anarchistic group of criminals," and Jerris Leonard, an Assistant United States Attorney General, as saying, "The Black Panthers are nothing but hoodlums, and we've got to get them."

In a statement accompanying the report, Mr. Pemberton said: "No matter how inflammatory a political program is perceived to be, policemen and

their superiors cannot decide to exceed their legal authority, even in treating specific violations of the law."

## Weapons Charge Denied

WASHINGTON, Dec. 28 (UPI) — David Hilliard, chief of staff of the Black Panther party, denied today that the party was storing arsenals of weapons.

Mr. Hilliard, under indictment for threatening the life of President Nixon in a San Francisco speech, also denied that he had meant to threaten the President. He said that his statement, "We will kill Richard Nixon" had been "political rhetoric."

He also said that police charges that Panthers were storing arsenals of weapons were untrue.

"We are very aware of the gun laws," he said. "We advocate each individual having a shotgun in their homes, as spelled out under the Constitution of the United States. It is not our purpose to assemble large caches of weapons."

He said in a televised interview on the Columbia Broadcasting System's "Face the Nation" that his group had no faith in any of the investigations being conducted into clashes between the police and Panthers except for an inquiry by black Congressmen.

29 Dec 69

On Fred Hampton and Mark Clark:

23 May 70

18 Dec 71 et seq.

23 Jan 76 et seq.