

Black Panthers Begin Filing Damage Suits

Baltimore

The Black Panther Party, in what was described as the first move in a nationwide legal assault against police and prosecutors, initiated a \$1 million damage suit in United States District Court yesterday against four Baltimore officials.

The class action suit alleging denial of constitutional rights was filed by civil rights lawyer William M. Kunstler on behalf of the party and Arthur Turco Jr., a white lawyer from New York accused of being an accessory to the 1969 murder of a Baltimore Panther suspected of being a police informer.

"This is a pioneer project in a counter attack against unjustified prosecutions," Kunstler said. "This is a precedent suit. I don't know of any like this ever being filed."

OTHERS

The lawyer said similar actions are being prepared in connection with past and present Panther-related prosecutions in New York, Oak-

land, New Haven, Detroit and New Orleans.

Named as defendants were Donald Pomerleau, Baltimore police commissioner; Milton B. Allen, the Baltimore state's attorney and one of the few elected black prosecutors in the nation; Hilary D. Caplan, an assistant to Allen, and Lieutenant Colonel Maurice D. DuBois, head of the city police criminal investigation division.

Besides the damages, the suit asked the federal court to prohibit the officials from further prosecution of Turco and "infiltrating, surveilling or other interfering with the activities" of the Panthers.

GARRY

Among the five lawyers joining Kunstler as attorneys for the plaintiffs was Charles Garry of San Francisco, the national counsel for the Black Panther party.

Central figure in the suit is Turco, a 28 - year - old lawyer who was the only white among 12 persons initially charged in connection with the torture and shotgun murder of Eugene Leroy Ander-

son, a 20 - year - old carpenter, in July 1969.

Turco is free on \$10,000 bond pending retrial on the accessory to murder charge. A three - week trial ended

July 3 in a mistrial after a jury of seven blacks and five whites were unable to agree on a verdict.

The suit charged that the prosecution employed perjured testimony in an effort to convict Turco and was proceeding with a retrial in order to constitutionally intimidate and harass him.

Associated Press