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Hanrahan, Defying Daley, Says He'll Stay in Chicago's Primary

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CHICAGO, Dec. 22 — State's Attorney Edward V. Hanrahan, defying Mayor Richard J. Daley, announced today that he would remain a candidate for re-election.

His decision opens the door for what is expected to be a wild Democratic primary fight.

Mr. Hanrahan's name will stay on the top line of the State's Attorney's section on the ballot. This is considered a highly advantageous position in a primary.

Below him will be the names of Traffic Court Judge Raymond K. Berg, who was endorsed Monday by the Daley-dominated Democratic organization after it withdrew its support from Mr. Hanrahan, and of Donald Page Moore, a prominent independent Democrat who once served as a special assistant to the late Robert F. Kennedy when he was Attorney General of the United States.

Mr. Hanrahan's determination to stay in the race for politically sensitive State's Attorney's office strips him of any protection the Cook County Democratic organization could give him in his struggle to quash an indictment charging him with conspiracy to obstruct justice.

Motions Filed

Motions to dismiss the indictment have been filed by Mr. Hanrahan and 12 policemen and an Assistant State's Attorney who were also charged.

A ruling on these motions is scheduled to be made Jan. 7 by Criminal Court Judge Philip Romiti, who was elected with the support of the Democratic organization.

With its wide powers to investigate or not investigate any activities of the Cook County government, the State's Attorney's office is considered by the politicians to be the most important one on the ballot.

In the past, Cook County Democrats have sometimes been so preoccupied with winning the post that other Democratic candidates, including those for President and Governor, have been virtually ignored.

The organization's endorsement, usually tantamount to nomination and election in Cook County, was withdrawn from Mr. Hanrahan in response to mounting protests from other Democratic candidates and from Chicago's black leaders, who threatened to wage an all-out campaign against him.

Urged to Withdraw

The party's central committee, with Mr. Daley's consent, urged Mr. Hanrahan to withdraw from the primary race for the good of the party.

Mr. Hanrahan is accused of protecting members of a special police detail whom his office sent to raid a Black Panther headquarters in 1969. In the raid, Fred Hampton and Mark Clark, two Black Panther leaders, were killed.

The State's Attorney is also accused of allowing false evidence to be introduced to secure indictments against seven Black Panthers who survived the raid.

Mr. Hanrahan declared today at a news conference that, if he withdrew now from the March 21 primary because of the indictment, it would "be the Black Panthers' biggest propaganda victory."

"In plain English, the indictment charges us with trying to cover up criminal conduct by the police," he said. "Yet the same county grand jury that indicted us found the police had committed no crime during the search. So there just wasn't any criminal conduct which anybody could cover up. That's why this indictment doesn't make any sense."

'Insult' to Blacks

Mr. Hanrahan said allegations that black residents of Cook County would not vote for him were "an insult to the intelligence of the black people."

"I will not quit," he declared. "I put my political fate in the hands of fair-minded people, regardless of party."

At a news conference of his own a few minutes later, Mayor Daley said there would not be

an open primary in which the voters would decide.

"That shows the strength of the Democratic party in our country," he said. "You can have differences of opinion."

He conceded that he had discussed a withdrawal with Mr. Hanrahan.

"I asked Edward to consider some of the things that were involved," the Mayor said. "He just said he felt he would be vindicated. I hope he is, eventually."

Inquiry Asked

Mr. Hanrahan has been asked to investigate charges that many names on the nominating petitions of Judge Berg were forged.

The party's switch to Judge Berg was announced just before noon on Monday, the last day for primary filing. The law requires at least 6,000 names on the nominating petitions. Before 5 P.M. Monday, petitions with 20,000 names were filed by Judge Berg.

A number of persons whose names were on the petitions insisted yesterday that they had never signed anything. The Independent Voters of Illinois and the Better Government Association have demanded an investigation.

Complaints have been made to the United States Attorney in Chicago, and the names of 27 persons who deny signing have been given to Mr. Hanrahan's office.

Asked about these charges, the Mayor replied: "I don't think you checked on the other candidates with the same intensity. You'd find some duplication on all petitions, some intentionally, some inadvertently, like in a husband and wife situation."