

Chief 'Was Astonished' By Indictment of Seale

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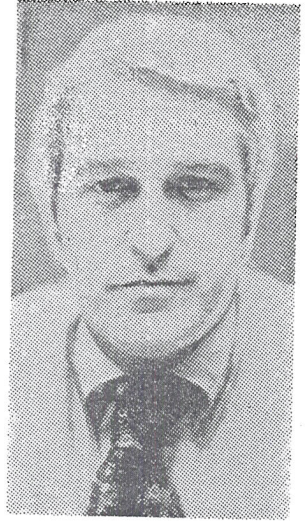
New Haven, Conn.

Former New Haven Police Chief James F. Ahern says he was astonished when a local prosecutor sought an indictment of Black Panther National Chairman Bobby G. Seale in the Alex Rackley murder case three years ago.

"We (the police) 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 (Seale), nor did we expect

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AP Wirephoto

JAMES F. AHERN
'No solid evidence'

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that prosecutor Arnold Markle would ask for one," Ahern says.

Markle was not available for comment.

CHIEF

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 north-east of here. The state contended Rackley was a suspected police informer.

Ahern is new director of the Insurance Crime Prevention Institute, an investigative agency run by the insurance industry. While police chief here between 1968 and 1971 he was a member of the President's Commission on Campus Unrest, which probed the Kent State and Jackson State killings.

In his book, "Police in Trouble: Our Frightening Crisis in Law Enforcement," Ahern writes that his men knew Rackley was being held at Panther headquarters and that they went on a search for a Panther car believed to be carrying Rackley from headquarters the night he was killed.

Ahern refers to the other arrests in the case — there were eventually 13 — as "our subsequent arrests." But he says Markle — not the police — was responsible for the arrest of Seale.

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."

FIGURES

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

The basic allegation in the indictment against Seale was that during a speaking visit to Yale he had stopped off at 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,"