

AUG 8 1972

HANRAHAN DENIED ACQUITTAL APPEAL

Chicago Trial Over Raid on
Black Panthers Resumes

NYTimes

Special to The New York Times

CHICAGO, Aug. 7 — Judge Philip J. Romiti denied a defense motion today for acquittal of Edward V. Hanrahan, Cook County State's Attorney, and 13 other persons on trial on charges of conspiring to obstruct justice in the wake of a police raid on the Black Panthers here Dec. 4, 1969.

After the denial, the trial was promptly resumed with further cross-examination of Miss Deborah Johnson, 21 years old, one of the Panthers who survived the raid.

The defense motion last Friday to end the trial, which was begun July 11 in Cook County Criminal Court, was based on purported statements by four of the seven Panthers who survived the raid by State's Attorney's police on a West Side apartment. Two Panther leaders, Fred Hampton and Mark Clark, were slain in the raid.

The defense contended that these purported statements, allegedly given to the Panthers' own lawyers within a few weeks after the raid, conflicted sharply with their testimony before the special county grand jury that indicted Mr. Hanrahan and his co-defendants.

The statements so impaired the value of the four Panthers as witnesses that the prosecution was left with only circumstantial evidence insufficient to sustain the charges the defense contended.

Acquittal Motion Later

The trial was suspended July 25 after Barnabas Sears, the prosecutor, submitted the purported statements, saying that his staff had found them the proceeding weekend and that it was his duty to produce them in court. After hearings over 10 days on the four statements, Judge Romiti permitted their introduction as evidence but did not rule on their validity.

Judge Romiti said today that the proper time for the defense to submit the acquittal motion was after the prosecution finished its case. "The prosecution has a right to finish its case if it so desires," he said.

Mr. Sears last Friday had rejected a defense suggestion that he should himself move to dismiss the charges. Even if the statements are true, Mr. Sears said at that time, they do not support the version of the raid given by the 14 defendants.

Mr. Hanrahan, a Democrat seeking re-election next November, is accused with Richard Jalovec, assistant state's attorney, and 12 policemen, including eight who survived the raid, of suppressing and distorting evidence conflicting with their version that the policemen fired only when fired upon.

Conflict on Shots

In the purported statements, the four Panthers admitted that they all held guns when the police entered the apartment and that at least three shots had been fired at the policemen, according to what the attorneys said in court.

When they testified before the special grand jury, according to the attorneys, the four denied holding guns and said they knew of no shot being fired at the policemen.

The controversial purported statements were given by Louis Truelock, Blair Anderson, Brenda Harris and Harold Bell.

According to the police version, the raiders confiscated 19 guns and some 1,400 rounds of ammunition.