

Clark Bids U.S. Reopen Panther Killings Inquiry

By JOHN KIFNER

Former Attorney General Ramsey Clark charged yesterday there was "probable cause to believe" that Fred Hampton, a Black Panther leader, was "murdered in the legal sense of the word" in 1969 in a pre-dawn police raid in Chicago.

Mr. Clark and Roy Wilkins, executive director of the National Association for the Advancement of Colored People, co-chairmen of a citizens' investigation of the slaying, called on Acting Attorney General Robert H. Bork to reopen a Federal investigation of the raid and its aftermath.

They made their appeal to the Justice Department as they announced publication of the findings of the independent Commission of Inquiry, entitled "Search and Destroy."

Juries Are Criticized

The 250-page report is sharply critical of the police raid, of the activities of the Chicago law enforcement authorities and judges and of the work of a Federal grand jury that investigated the raid in response to widespread controversy.

The report charges that the attitude of both the Federal and local grand juries "appears to have been that the Panthers were dangerous, and, consequently, that any excesses by the police against them could be excused."

A second Panther, Mark Clark, was also slain in the raid on Dec. 4, 1969.

Mr. Clark said that the Federal Government should reopen an investigation of the raid "so people can have some confidence that the laws will be faithfully executed."

The raid has been the center of controversy almost from the moment the police asserted the raiders had been greeted by gunfire that turned into a wild gun battle and the Panthers let the public tour the bullet-riddled apartment to show that the firing had been done by the police.

Ultimately, Edward V. Hanrahan, then the Cook County State's Attorney, one of his chief assistants and 12 policemen went on trial for conspiracy to obstruct justice. They won a directed verdict of not guilty from a Democratic judge without putting up a defense.

Among the contentions of the new report are the following:

¶It is "highly probable" that Hampton was drugged at the time he was shot. The first shot of the fray was a police shotgun accidentally dis-

charged into a door frame of the anteroom leading into the apartment. The possibility of this shot has been little-discussed in previous reports.

¶The shots that struck Hampton "almost certainly were fired from or through the doorway" of the back bedroom in which he was killed in his bed.

¶The strong criticisms of the Panthers scattered through the Federal grand jury report "had the effect—very possibly a politically intended effect—of leaving the impression that the

only crimes committed were by the Panthers, and that, even if the police were overzealous, the Panthers deserved it."

The citizens' committee to investigate the raid was originally formed 11 days after the shooting under the chairmanship of Mr. Wilkins and former Justice Arthur J. Goldberg of the Supreme Court. They were dissuaded, however, from continuing their investigation by the then Assistant Attorney General, Jerris Leonard, who implied in a meeting in early

1970 that Federal indictments were forthcoming.

When the Federal grand jury issued only a report, finding that only one shot could be attributed to the Panthers while the police had fired from 82 to 99 rounds into the cramped apartment, and that the discrepancies between the police accounts and the physical evidence was so irreconcilable as to suggest "falsifying" some members of the group continued their self-appointed investigation.