

MOTHER FILES \$3.75 MILLION

Charging the pre-dawn weapons raid on Chicago Black Panthers' residence resulted in the "wrongful death" of her son, Fred Hampton, Mrs. Iberia Hampton filed a \$3,755,000 civil suit in U. S. District Court in Chicago. Named defendants are the city of Chicago, Cook County, Cook County State's Attorney Edward V. Hanrahan, Assistant State's Attorney Richard S. Jalovec and 14 policemen involved in the raid, four of whom were Black. Hampton and Peoria Panther chief Mark Clark were shot to death last December 4 when state's attorney's police, claiming sniper fire, shot their way into the West Side apartment, ostensibly to serve a search warrant for illegal weapons.

The seven-count suit asks \$250,000 in compensatory damages and \$500,000 in punitive damages in each of three counts, \$500,000 in damages in each of three other counts and \$5,000 in a seventh. Specifically, the suit charges that the defendants did:

- Under cover of a state search warrant illegally enter the residence of Fred Hampton, depriving him of his rights, privileges and immunities guaranteed by the first, fifth, eighth, ninth, 13th and 14th amendments to the U. S. Constitution.
- Unlawfully fire without provocation more than 90 bullets from machine guns, pistols, shotguns and carbines into the general living quarters of Fred Hampton while executing said illegal raid. Several bullets struck Fred Hampton while he lay in bed, with at least two piercing his skull.
- Drag Hampton from his bed to the dining room floor without knowing whether he was alive or dead.
- Illegally ransack Hampton's apartment, stealing money and personal property from the apartment, damaging and destroying his personal property and spoliating the evidence of their illegal acts.
- Perpetrate such acts on Fred Hampton, chairman of the Illinois chapter of the Black Panther Party, because of his beliefs, thoughts, words and associations, and deprived

SUIT IN PANTHER SON KILLING

him of his (constitutional) rights to free speech, expression and assembly.

- Not only deny Fred Hampton due process of law but did flaunt this denial to create fear and terror in the Black community of Chicago.
- Perpetrate on Fred Hampton acts contrary to all constitutional standards of humanity, thereby depriving him of his right to be free from the badges and indicia of slavery as guaranteed by the 13th amendment.
- Negligently plan and create a situation where deadly and excessive force was likely to be used.
- Plan this raid with the knowledge and purpose that it would deprive Fred Hampton of his rights and privileges and did purposefully plan, while acting under the guise of the law, to discriminate against the deceased because of his belonging to the Black race and because of his political beliefs. This conspiracy and these overt acts of the defendants did proximately cause Fred Hampton's injury and death, depriving him of his most fundamental



Insisting her son, Fred, was wrongfully killed, Mrs. Hampton, grief-stricken at his funeral, sues for \$3 million plus.

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Snubs Grand Jury, Black Newsmen Held In Contempt*E. Caldwell*

Black, 32-year-old Earl Caldwell of the San Francisco bureau of New York Times, held in contempt of court after he refused to appear before a grand jury investigating the Black Panthers, was first ordered jailed in San Francisco, but later won his freedom when he announced he would appeal the decision. U. S. District Judge Alfonso Zirpoli, who had ordered Caldwell's imprisonment, also granted the stay of the order over the protest of the federal government. Zirpoli told Justice Dept. Atty. Victor Worheide he could see "no reason" not to stay the jailing order pending the appeal. Caldwell was ordered jailed when Zirpoli turned down his argument that his mere appearance in the closed grand jury sessions would destroy his credibility in the Black community. Zirpoli insisted that the reporter had a constitutional obligation to testify. However, the judge had ruled that Caldwell did not have to answer questions concerning information about the Black Panthers which had been given him in confidence as a journalist. Caldwell's attorney, Stanford University law professor Anthony Amsterdam, said his client is willing to appear in an open court or by affidavit, but refuses to go before the grand jury on the grounds that it would violate the freedom guaranteed him as a newsman under the first amendment. Caldwell, according to his counsel, felt his "professional identity and effectiveness would be destroyed" if he appeared before the grand jury. It is Caldwell's claim that some of the government's questions would be based on illegal electronic eavesdropping, but Judge Zirpoli turned down Amsterdam's request for a hearing on the charge. Amsterdam said "inferences" can be drawn that the government eavesdropped on an interview Caldwell had with two members of the Black Panther Party.

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Three Other Million Dollar Suits Expected Shortly

constitutional right, his right to live.

The city of Chicago was named in the suit because of its alleged failure to properly hire, train and supervise the state's attorney's policemen. The suit also charged that Mrs. Hampton, her husband, Francis, their other children and Hampton's then unborn son, Frederick Jake Johnson, were deprived of "pecuniary" benefits by Hampton's death.

At least three other suits are expected as a result of the raid: one on behalf of Mark Clark's mother, Fannie May Clark, to be filed by the NAACP, one by the Illinois chapter of the American Civil Liberties Union, and one by the seven survivors of the raid. Atty. Cornelius Toole of the Chicago NAACP legal staff said the civil rights organization intends to file a \$4,000,000 suit on behalf of Mark Clark's mother, claiming \$2,000,000 actual damages and \$2,000,000 punitive damages.

Black Man Wins Run-Off Berth In Miss. Sheriff's Race

A COP-PANTHER CONFRONTATION

A typical day on the block around Cleveland's (Ohio) 79th and Rawlings Street was interrupted by the sound of gunfire. No one knows where it came from, except that when the blasting was over, police had surrounded the offices of the National Committee to Combat Fascism (NCCF), a group affiliated with Cleveland's Black Panthers, and the group's office building was bullet-riddled, its window glass was smashed and debris scattered about was all that remained of what once represented the office equipment and documents of the group's program. Police deny starting the ballast; and Panthers say they had no guns.

Police had come to the community organizing group's headquarters to serve a peace warrant on two NCCF members, Fred Clark and Curtis Johnson, who had been accused of intimidating and harassing a community drug-gist. Police were, they later claimed, unable to serve the warrant because Panthers allegedly shot from within the building as lawmen arrived and announced their intent. According to police, a fight then ensued in which a Panther shot a policeman and was himself shot later in retaliation.

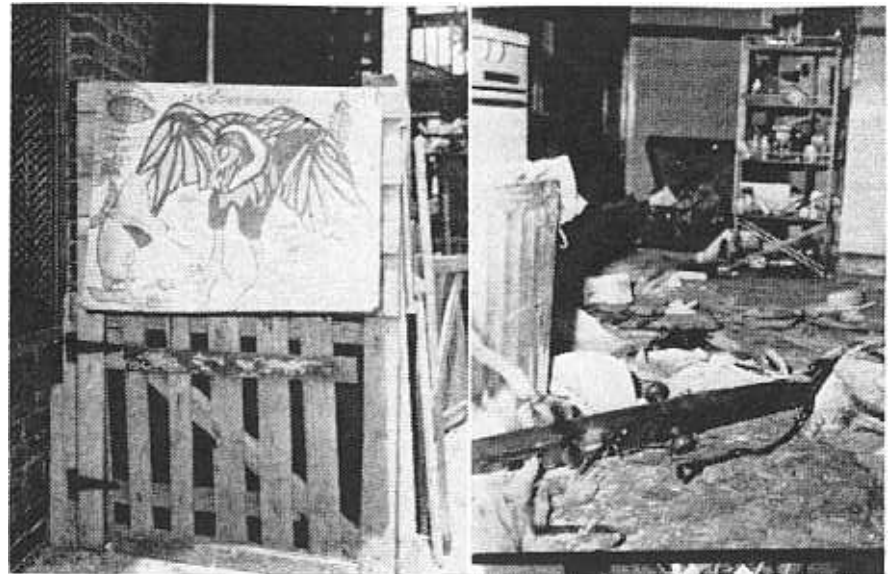
Panthers question in the aftermath whether four tactical unit squad cars and 40 policemen were necessary to serve a peace warrant—which does not carry the stigma of a criminal offense. According to Panthers, only three NCCF members were present in the building when the police arrived—two seated on the stairs leading to the street. No announcement was made when the police arrived, NCCF members say. Instead, says Fred Clark, the one member who was inside the office, police opened a barrage of fire from the rear door and crossfire from the street in front of the building stung him in the neck. He ventured that the injured officer could have been felled only by his colleague's crossfire.

When the Blacks became convinced that police had surrounded the building and were aiming their volleys to destroy property and persons within, the two NCCF mem-

IN CLEVELAND RAISES QUESTIONS



Crouching behind parked police car, weapon-toting policemen lay siege to building housing NCCF members.



Sign lampooning U. S. government escaped the barrage of gunfire from police weapons which wrecked NCCF property.

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Black Safety Director Satisfied With Cops' Story

bers on the stairs, Curtis Johnson and Richard Dowell, came out of the building, surrendered themselves to police and were arrested. Observers on the street swore they neither heard nor saw anything to indicate that the Panthers were shooting from within. But since the arresting officers entered from the back of the building, the question of who fired the first shot still remains in doubt. Two days after the shootout, three Panther members, Fred Clark, Curtis Johnson and Richard Dowell, were charged with shooting with intent to kill and released on \$5,000 bonds.

Cleveland's Black public safety director, Benjamin O. Davis, a retired Air Force general, describing the area surrounding 79th and East Rawlings as "hostile . . . one that is not peaceful with pleasant citizens," told reporters that he felt the force used by police was appropriate to the situation.

But the Community Relations Service of the U. S. Justice Dept., the American Civil Liberties Union and other groups say they plan to conduct investigations into the incident to determine what precipitated the shooting. Public Safety Director Davis says, however, that he is satisfied with the police reports—which include three versions of how the opening shot was fired—and he will not conduct any investigation into the incident.

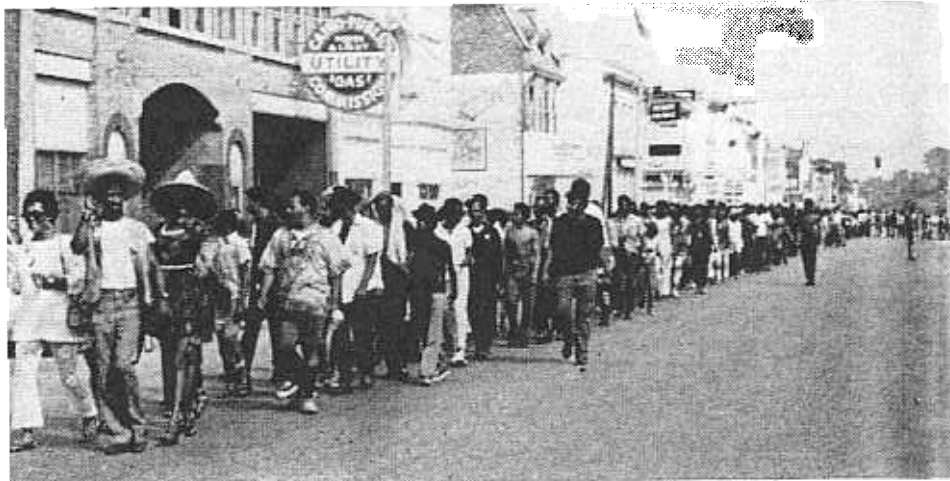
The arresting officer involved is now on vacation, the injured officer is on leave, and no one in the police department's homicide division, community information division or the bureau chief will comment on details surrounding the incident. The three accused Panthers await a preliminary hearing on police charges. They say that they will hold a public hearing to let the community decide who really broke the peace.

Lawyer Fights To Free Huey Newton Pending Appeals

Black Panther Party Founder Huey Newton's lawyer petitioned California's Supreme Court to free his client while the high tribunal is considering whether to reinstate a manslaughter charge against him.

3,500 TURN OUT TO BLACK

"Look at that girl shaking that thing! Well, everybody can't be a Martin Luther King," was the way Georgia State Rep. Julian Bond, featured speaker at the Cairo (Ill.) United Front-sponsored Black Solidarity Day Rally, described the diversity present, yet the unity needed to gain liberation for Black people in America. From Bond's "off-hand" poetry to Imamu Amiri Baraka's (Le Roi Jones) reading of his poem, *Nationtime*, the crowd of 3,500 was exhorted to forget superficial differences and let their Blackness be a common bond to move towards a united Black community. In sweltering heat (95 degrees in the shade) the people who came from all over Illinois and from cities across the country stood in the playground of Pyramid Court, the Black public housing project hit by more than 112 nights of shootings since March 31, 1969, by white vigilantes. The shooting has come in response to the almost 16-month-old economic boycott by Blacks on downtown Cairo stores. Black Solidarity Day was called by Cairo's United Front so that Black people around the State of Illinois and the country could come to Cairo and, by their presence, express support of the Black people's strug-



Extending 12 blocks, marchers pass boycotted stores in the longest line of march in the history of troubled Cairo.

SOLIDARITY DAY RALLY IN CAIRO



Standing, Rev. Charles Koen chats with guests (l-r) Bill Hampton, Rev. Cleage, Imamu Amiri Baraka and Julian Bond.

gle for freedom in that racially torn southern Illinois city.

Speakers and entertainers spoke of the need of greater Black strength which can be found only as groups unite together. In addition to Bond and Baraka, the Rev. Albert Cleage, author of *Black Messiah* and pastor of Detroit's Shrine of the Black Madonna, the Rev. Cleophus Robinson, world's "greatest singing preacher" from St. Louis, Calvin Johnson of the Black Panther Party, Leonard Sengali and Jeff Fort of the Black Peace Stone Nation in Chicago also spoke to the group. Special entertainment was given by the Katherine Dunham Dance Troupe of Southern Illinois and The Pharoahs, a soul group from Chicago. Honored guests included Mrs. Ralph Featherstone, widow of the civil rights worker killed in a Maryland bomb blast, Bill Hampton, brother of slain Black Panther Fred Hampton, and Barbara Johnson, fiancee of Fred Hampton. After the speeches, the people marched. The line of march extended for more than 12 blocks of the 28-block parade route.

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SOLON EXPOSES TREATMENT OF BLACKS IN VIETNAM

ANTI-WAR FEVER RAGES AMONG

By SIMEON BOOKER, JET Washington Bureau Chief

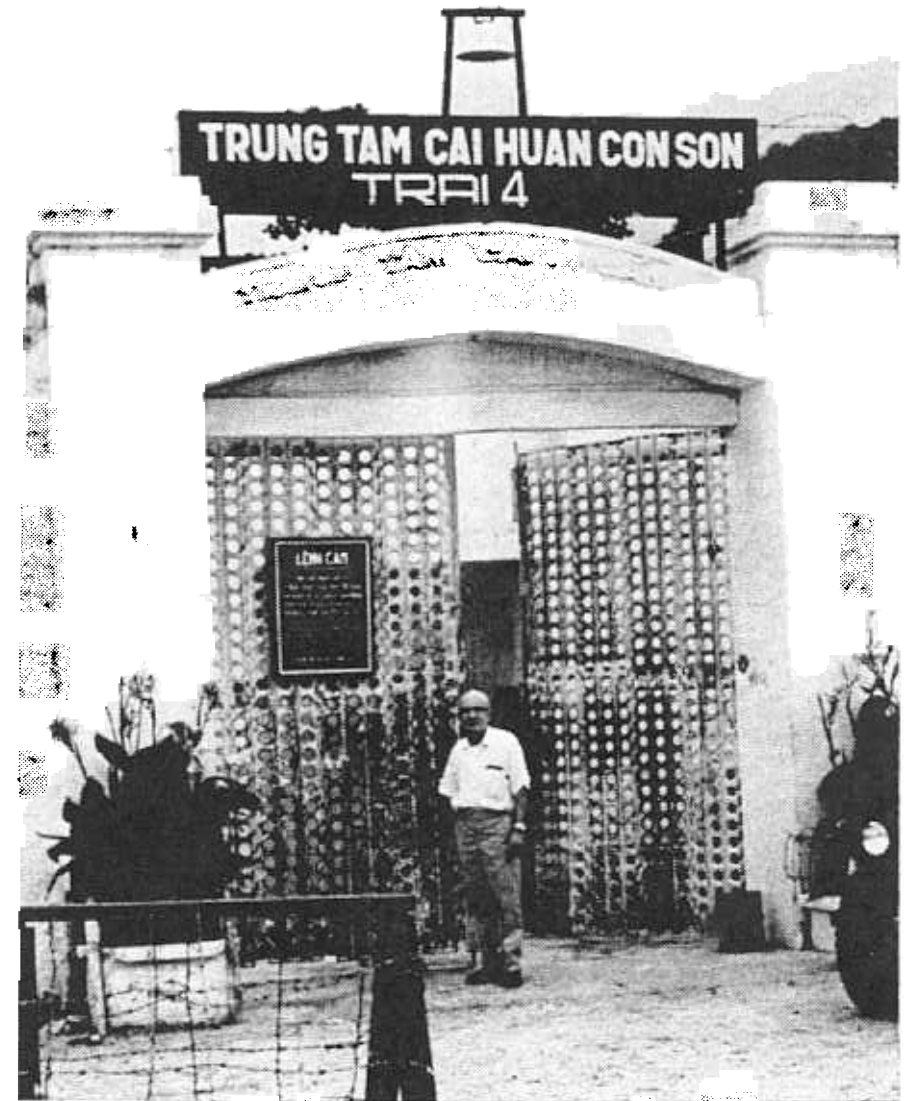
Five years ago when the U. S. fielded its biggest fighting force in Vietnam, morale among Black GIs was at its peak. The military boasted about "the most integrated army in history." It was, the brass said, a privilege and an honor to defend the democracy-loving South Vietnamese. Since that time, the world's mightiest military power has not been able to crush the Viet Cong, one of the world's smallest fighting forces, which does not even boast an air force or a navy. Morale among troops—especially young, teenage Blacks—has sagged tremendously in the process.

On a recent Vietnam inspection trip, Congressman Augustus (Gus) Hawkins (D., Calif.) of Los Angeles became alarmed about the plight of thousands of young Blacks (from age 18 to 21) who are caught in the vise of rising racial tensions at home and the draft and front line duty in Vietnam. Lawmaker Hawkins' mission as a member of the House Select Committee on U. S. Involve-



Talking to JET in his Washington office, Congressman Hawkins displays photos to expose treatment of Blacks.

BLACK GIs; ARMY HIDES CRISIS



Standing in front of gate during inspection trip, Congressman Hawkins found shocking conditions shackling Black GIs.

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Says Black GI More Anti-War And Anti-Establishment

ment in Southeast Asia was to contribute to the total picture of participation in Asian affairs. Hawkins was one of two congressmen to insist on visiting the ill-fated Con Son Island prison camp where they discovered "tiger cages" used to confine prisoners.

In a sideline activity, Rep. Hawkins took pains to run a check on the condition of "his young brothers." From chance meetings with Black GIs on the 12-day, 30,000-mile jaunt, Rep. Hawkins discovered widespread cynicism among Black troops and little attention paid by leaders to the plight of Black soldiers in Vietnam. He explained that "the GIs never could understand being briefed on what they were fighting for"—largely for self-determination of the South Vietnamese and their right to live without being Communist—and yet themselves denied the same right of self-determination at home.

The Vietnamese, said Hawkins, now appear unfriendly to Americans, considering them outside forces and the ones responsible for the destruction of their land. Hawkins pointed out that the enemy did not bomb villages, defoliate agricultural land or kill in all-out attacks. Black soldiers, said Hawkins, understand the Vietnamese hostility—better than the white troops because they have had similar experiences and backgrounds.

What nagged at Rep. Hawkins was the build-up of frustration and resentment that has resulted in a staggering arrest and internment record for Black troops, which still account for more than 13 percent of the battlefield casualties. At the two major military stockades, more than 60 percent of the prisoners are Black, committed mainly for either assault or AWOL. "I wonder whether this heavy rate is due to the fact that Black GIs are given the toughest assignments, whether it's because of biased commanders, or some other factor," said Hawkins.

On a visit to one stockade, the lawmaker talked to a Black captain who headed the detention center. "The captain's interpretation that the Blacks are anti-establishment and anti-war," said Hawkins, is probably right.

Fragmentary interviewing left with Hawkins the impression that the Blacks are more anti-war than white GIs. Obviously, the rise of Black nationalism has had a serious impact in the military, creating a situation in which many white officers think that "every GI with a bush (hair style) is a Black Panther." To close the gaping racial divisions, the military established human relations councils in the various battle zones. But Hawkins lamented that "the system was inadequate and there were many times little understanding or sensitivity."

Because of the vast expense required to travel to Vietnam, few Black news publications or Black organizations have monitored Black participation in Vietnam. The Pentagon brass, with only a few Blacks in super-grades and only one high enough to advise on a policy-making level, has allowed the conditions to remain on the back burner because of lack of intelligent interest from aroused Blacks. What Rep. Hawkins envisions now is an all-out campaign to improve conditions in Vietnam, especially as long as



Touring South Vietnam, Congressmen E. Ross Adair and Hawkins (r) inspect Vietnamese soldiers at Da Nang.

Brass Steered Hawkins Away From Angry Blacks

the war rages on at its current level of intensity.

Declaring that he hopes to return to Vietnam soon with two or three of his colleagues, Hawkins said he plans a thorough race relations study of the military from coast to coast. He hopes to interview Black troops, commanders, and members of human relations councils. He hinted that he would prefer that such an exploratory trip be financed by the congressmen themselves, and that the itinerary be mapped by them—instead of by embassy personnel or the military.

"Something must be done to help these young fellows," Hawkins said. "It's pathetic to think that so few national groups are really interested in what happens to Black GIs in Vietnam and when they return home looking for jobs." Relating how the military uses "show Negroes" in important roles along the congressional inspection route, Rep. Hawkins indicated that he had a difficult time communicating with some Black officers. "They didn't appear like they wanted to really tell me how it is."



Listening to a Black soldier at An Tuc District in South Vietnam, Congressman Hawkins learns of plight of Blacks.



Inspecting conditions of Black GIs in Vietnam, Congressman Hawkins' sleuthing turned up "tiger cages" housing soldiers.

At the stockade, Hawkins asked to see some constituents from California. The military selected three white GIs, two of whom steadfastly refused to fight against their will. As for meeting Black inmates, Hawkins struck up conversations as he walked through the compound. One of the factors involved in his reception by the military probably is that the West Coast's first (and only) Black congressman is fair-skinned enough to "pass." In Vietnam, he passed through the military ranks to bare the plight of "his brothers."

White Atlanta Lawyers' Group Rejects Vice Mayor

For the second time, the lily-white Atlanta (Ga.) Lawyers Club, a group of attorneys which is supposedly distinguished, of exceptional talent and intelligence, rejected the membership applications of Atlanta Vice Mayor Maynard Jackson and Georgia State Rep. William Alexander, both Black. The two were nominated by members of the club who seemed not to have the hangups of some other members who were reluctant to admit such distinguished Black men.