

# An Ex-Leader of Black Panthers Is Freed on Bail

By B. DRUMMOND AYRES Jr.

LOS ANGELES, June 10 — To the cheers of now-graying colleagues in the tumultuous 1960's, Elmer Pratt, a former Black Panther leader, was released on bail today after 27 years in prison on a murder conviction he says was concocted by Federal officials bent on destroying the Panther organization.

Mr. Pratt, known in civil rights circles as "Geronimo," was freed shortly after noon on a \$25,000 bond the same Santa Ana judge who 10 weeks ago overturned his conviction on the ground that prosecutors withheld crucial evidence long in the first trial.

"The truth is finally going to come," Mr. Pratt, now 49, told a throng of reporters and well-wishers as he emerged from the Santa Ana jail, for the first time in more than a

decade. He questioned the wisdom of whether to retry a man who already has served more time in jail than most convicted murderers serve. Further, any trial jury is sure to be asked to weigh Mr. Pratt's alleged violent excess against the alleged excesses committed by Government officials in the 1960's, particularly alleged excesses in surveillance and subversion of anti-government groups like the Panthers.

As Mr. Pratt waded into the crowd of well-wishers gathered this afternoon outside the Santa Ana jail, among them many present-day civil rights advocates, as well as such former Panther leaders as Eldridge Cleaver and David Hilliard, someone began to chant: "Free at last! Free at last! Thank God Almighty he's free at last!"

Mr. Pratt, still very much talking back, accused the Nixon Administration of "trying to kill us all" and asserted that even today the country's jails are packed with the unjustly accused.

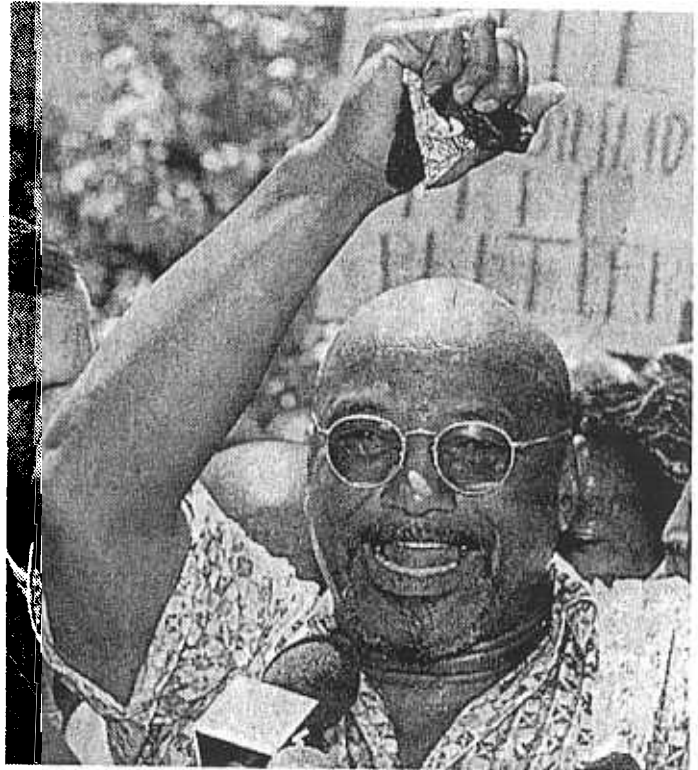
"You have political prisoners on top of political prisoners," Mr. Pratt said. "I'm only one of a great many that should be addressed."

Mr. Hilliard, the founder of the Black Panthers and now the director of a San Francisco-area foundation named after Huey Newton, a former Black Panther, called Mr. Pratt's release "a victory for black America" and "a good day for America" that he hoped would rekindle interest in the Black Panthers and their agenda for black empowerment.

"He was framed by the F.B.I., no doubt about it, because we were a party of young blacks," Mr. Hilliard said of Mr. Pratt. "The Black Panther Party doesn't exist any more but its legacy lives on. We're not terrorists. We're not bombers. We're a political party."

Mr. Cleaver, author of "Soul on Ice" and now a graying 61-year-old on the speech circuit, called Mr. Pratt's release a "miracle" and "great testimony" to the fact that ultimately the nation's judicial system can be made to work.

At his first trial, Mr. Pratt pleaded innocent and insisted that he was 400 miles away, in Northern California, when the Los Angeles woman, Caroline Olsen, was killed in a robbery attempt in Santa Monica. But the prosecution's chief witness, Julius



Elmer Pratt, a former Black Panther leader, was released on bail yesterday after 27 years, when his murder conviction was overturned.

... judge rules that prosecutors withheld evidence in a murder trial.

... rter of a century. Prosecutors, who contend Mr. Pratt killed a Los Angeles area teacher in a 1968 robbery, plan to appeal the overturned conviction.

We have filed a motion of appeal," George Palmer, one of the prosecutors, told the judge, Everett Dickey of Orange County Superior Court.

In a ruling late last month in Mr. Pratt's favor, Judge Dickey said that at his first trial, in 1972, prosecutors deliberately failed to disclose that a key witness was a convicted felon who had been recruited to infiltrate and spy on the Black Panther Party.

Over the years had overturned Mr. Pratt's appeals, even though many civil liberties groups sided with him, as had, in time, some of the jurors who initially found him guilty.

If the prosecutors fail to win their appeal, they will face the ques-

Butler, testified that Mr. Pratt had confessed to him that he was the killer.

The prosecutors did not tell the court that Mr. Butler, a sometime rival of Mr. Pratt for power within the Panther organization, was a convicted felon who had been recruited to infiltrate the Panthers. The jury chose to believe Mr. Butler and Mr. Pratt was found guilty and given a sentence of 25 years to life in prison. One of his lawyers then, as now, was Johnnie Cochran, the Los Angeles criminal lawyer who also represented O. J. Simpson.

In half a dozen or more appeal efforts, Mr. Pratt insisted that he was innocent. He said the police, particularly agents of the Federal Bureau of Investigation, had framed him as they sought to infiltrate and

destroy the Black Panther Party and other similar groups that were pushing for black empowerment in the 1960's.

Law-enforcement officials maintained that the groups were subversive and often resorted to violence in an effort to achieve their goals.

Mr. Pratt initially was tried in a Los Angeles County court. But once he began to argue in his appeals that the fairness of the Los Angeles court system was itself at issue, his case was transferred to the Orange County system.

When Judge Dickey approved Mr. Pratt's release today, Mr. Pratt praised him effusively.

"Thank you from the bottom of my heart for your fair and courageous ruling," Mr. Pratt said, his voice husky with emotion.