

COMMONWEALTH OF PENNSYLVANIA
HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE
SUBCOMMITTEE ON CRIME AND CORRECTIONS
PUBLIC HEARINGS

HELD: PEOPLE'S BAPTIST CHURCH
5039 BALTIMORE AVE.
PHILADELPHIA, PA.

WEDNESDAY, AUGUST 2, 1978

I. Calling to Order

Calling to order of Hearings by Chairman Joseph Rhodes, Jr. and Introduction continuation of hearings into the charges of police brutality in the city of Philadelphia pursuant to House Resolution 109, page 626-629;

II. Charles Jiggett

Charles Jiggett, 449 N. 66th St., and Robert J. Mitchell, 142 N. Hobart St., duly sworn and have received subpoenas; victims of police brutality, incident occurred Memorial night 1968-70, involved incident with a police officer and police log, page 629, 641; questions from the panel, page 641-655;

III. Dorothy Armstrong

Dorothy Armstrong, 4461 Diamond St., duly sworn and has received a subpoena, incident took place at 5491 Morse St., May 9, 1974, her son, Mark Armstrong was a victim of police abuse, page 655-664; questions from the panel, page 664-683;

IV. Rev. Joseph Kirkland

Rev. Joseph Kirkland, 1903 Federal St., sworn acknowledges receiving a subpoena introduction into the "record" a letter dated July 27, 1978 to Rep. Joseph Rhodes from Rev. Paul Washington; reading of statement by Rev. Paul Washington, page 684-687; testimony of Rev. Joseph Kirkland, victim of police abuse incident on August 4, 1972, page 687-695; questions from the panel, page 695-726;

V. Saboor Muhammad

Saboor Muhammad acknowledges receiving a subpoena, and is sworn victim of police brutality, page 726-730;

VI. Jean Thomas

Jean Thomas, 5024 Brown St., received subpoena and has been sworn statement testimony on several encounters with police in Philadelphia, page 732-737; questions from the panel, page 737-744;

VII. Esther Edwards

Esther Edwards, 1905 N. 16th St., has received subpoena, and is duly sworn testimony involving encounters with police on February 11, 1977; and statements as community, page 744-755; questions from the panel, page 755-784;

VIII. Marian Dockens

Marian Dockens, duly sworn, and has received a subpoena, testimony regarding the manner her son was arrested by Philadelphia Police, page 785-807;

IX. Mr. Jesse Fitzgerald

Mr. Jesse Fitzgerald, 552 W. Huntington St., received subpoena, incident took place in August of 1965 at 1406 N. Franklin, victim of a police abuse incident and questions from the panel, page 808-829;

X. Mr. Valvis Berzins

Mr. Valvis Berzins has received a subpoena, and has been duly sworn testimony concerning the police shooting of Rev. Janis Silins, March 14, 1973; questions from panel, page 829-847.

P U B L I C H E A R I N G S
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BEFORE
SUBCOMMITTEE ON CRIME AND CORRECTIONS
OF THE
PENNSYLVANIA HOUSE OF REPRESENTATIVES
JUDICIARY COMMITTEE

ON
ORGANIZED CRIME, PUBLIC CORRUPTION
AND
CIVIL RIGHTS VIOLATIONS

PRESIDING: CHAIRMAN JOSEPH RHODES, JR.
REPRESENTATIVE, ALLEGHENY COUNTY

AT

PEOPLE'S BAPTIST CHURCH
5039 BALTIMORE AVENUE
PHILADELPHIA, PENNSYLVANIA

TESTIMONY FROM
PHASE II: CITIZENS OF CITY OF PHILADELPHIA
REPRESENTATIVES OF ORGANIZATIONS

FOURTH DAY
WEDNESDAY, AUGUST 2, 1978

COMPUTER TRANSCRIPT PREPARED BY:
RAPID REPORTING SERVICE, INC.
SUITE 1102-10, 1405 LOCUST STREET
PHILADELPHIA, PA. 19102
732-4334

PRESENT:

REP. JOSEPH RHODES, JR., CHAIRMAN

REP. ALJIA DUMAS

REP. JOHN F. WHITE, JR.

REP. EDWARD WIGGINS

REP. HARDY WILLIAMS

REP. DAVID RICHARDSON

MICHAEL REILLY, ESQ., CHIEF COUNSEL

VAN BRASWELL, ESQ., SPECIAL COUNSEL

ALSO PRESENT:

REP. JAMES BARBER

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(2:10 O'CLOCK P. M.)

REPRESENTATIVE RICHARDSON: MAY I HAVE YOUR ATTENTION, PLEASE, FOR JUST A MOMENT. I WOULD LIKE TO OPEN UP THE HEARING SCHEDULED FOR TWO O'CLOCK, BUT THERE IS SOME LOGISTICAL PROBLEM AT THIS POINT NOT RESOLVED.

WE ARE GOING TO TAKE A FIFTEEN-MINUTE RECESS IN ORDER TO GET THAT RESOLVED, AND WE WANTED TO LET EVERYONE HERE KNOW WHAT THE PROBLEM IS.

MR. BRASWELL, WHO HAS SUBPOENAS FOR SOME OF THE WITNESSES, HAS NOT ARRIVED AS YET, AND WE MUST WAIT FOR HIM BEFORE ANY PERSON TESTIFIES. WE MUST HAVE A SUBPOENA BEFORE THEY CAN TESTIFY TO THE COMMITTEE.

WITH THE INDULGENCE OF THE COMMUNITY HERE, WE WOULD ASK RESPECTFULLY TO LET US TAKE THE FIFTEEN-MINUTE RECESS TO GATHER THE SUBPOENAS.

THIS HEARING STANDS IN RECESS FOR FIFTEEN MINUTES.

(BRIEF RECESS.)

CHAIRMAN RHODES: THE RECESS BEING OVER, THE SCHEDULED MEETING OF THE SUBCOMMITTEE OF THE HOUSE OF REPRESENTATIVES FOR THE COMMONWEALTH OF PENNSYLVANIA WILL BE CONVENED.

I AM JOSEPH RHODES, CHAIRMAN OF THE

1 SUBCOMMITTEE. PRESENT IS REPRESENTATIVE ALJIA DUMAS TO MY
2 RIGHT; TO MY LEFT IS REPRESENTATIVE JOHN WHITE, AND TO HIS
3 LEFT REPRESENTATIVE HARDY WILLIAMS. TO THE RIGHT OF
4 REPRESENTATIVE DUMAS IS REPRESENTATIVE DAVID RICHARDSON.

5 I APOLOGIZE FOR BEING LATE. I HOPE YOU WILL
6 UNDERSTAND THAT I AM FROM PITTSBURGH, AND DON'T HAVE
7 KNOWLEDGE OF THE WHEREABOUTS OF STREETS IN THIS CITY.

8 AT THIS TIME AT THE HEAD TABLE IS OUR CHIEF
9 COUNSEL, MICHAEL REILLY; SPECIAL COUNSEL, VAN BRASWELL, IS AT
10 THE DESK.

11 VAN, WHY DON'T YOU SIT WITH US? WE WILL
12 NEED YOUR ADVICE.

13 THIS IS A CONTINUATION OF OUR SUBCOMMITTEE
14 HEARINGS INTO THE CHARGES OF POLICE BRUTALITY IN THE CITY OF
15 PHILADELPHIA, PURSUANT TO OUR RESOLUTION 109, AUTHORIZATION
16 PASSED LAST JULY OF 1977 IN THE HOUSE OF REPRESENTATIVES OF
17 PENNSYLVANIA, CHARGING THIS SUBCOMMITTEE TO CONDUCT A
18 SUBPOENA-POWERED INVESTIGATION INTO ORGANIZED CRIME, OFFICIAL
19 CORRUPTION, PUBLIC CORRUPTION AND CIVIL RIGHTS VIOLATIONS BY
20 AND ON POLICE.

21 THIS IS THE SECOND IN A SERIES OF COMMUNITY
22 HEARINGS THAT THIS SUBCOMMITTEE IS HOLDING IN THE CITY OF
23 PHILADELPHIA TO DETERMINE WHETHER THERE ARE CIVIL RIGHTS
24 VIOLATIONS BY AND ON POLICE, AND WHETHER OR NOT THERE IS A
25 REMEDY THAT THE STATE OF PENNSYLVANIA SHOULD IMPOSE.

1 THIS IS A DULY CONSTITUTED AND STANDING
2 COMMITTEE OF THE HOUSE, AND AUTHORIZED UNDER RESOLUTION 109
3 TO CONDUCT THESE INVESTIGATIONS. THERE ARE A SERIES OF
4 WITNESSES WHO HAVE PERSONAL EXPERIENCES CONCERNING POLICE
5 ABUSE IN THE CITY OF PHILADELPHIA. THEY WILL BE UNDER
6 SUBPOENA, AND WILL BE TESTIFYING UNDER OATH. I ADVISE ANY
7 CITIZEN OF THE CITY WHO WISHES TO TESTIFY TO US, YOU WOULD BE
8 TESTIFYING UNDER OATH, AND ANYTHING YOU SAY CAN BE USED
9 AGAINST YOU ON THE CHARGE OF PERJURY. THAT IS THE BASIC
10 CONDITION YOU HAVE TO UNDERSTAND IN ANY TESTIMONY SO GIVEN TO
11 THIS SUBCOMMITTEE.

12 OUR FIRST WITNESSES TODAY WILL BE MR.
13 CHARLES JIGGETT AND MR. ROBERT MITCHELL WHO WILL BE
14 TESTIFYING TOGETHER. BEFORE YOU BEGIN HOWEVER, I WOULD LIKE
15 ON BEHALF OF THE SUBCOMMITTEE AND REPRESENTATIVE DUMAS, TO
16 EXTEND A VERY KIND THANKS TO THE REVEREND MATTHEW WILLIAMS,
17 WHO IS THE PASTOR OF THIS CHURCH, THE PEOPLES BAPTIST CHURCH,
18 AND ON BEHALF OF THIS SUBCOMMITTEE AND THE HOUSE OF
19 REPRESENTATIVES AND THE PEOPLE OF THIS STATE, WE ARE VERY
20 APPRECIATIVE TO REVEREND WILLIAMS AND THE MEMBERS OF THIS
21 CHURCH.

22 I HAVE ALSO BEEN TOLD TO ANNOUNCE IF IT HAS
23 NOT ALREADY BEEN ANNOUNCED, THAT THIS BEING A BAPTIST CHURCH,
24 WE ARE NOT SUPPOSED TO SMOKE IN HERE. SOME OF OUR MEMBERS
25 WILL PROBABLY PASS OUT WITH THAT PROHIBITION, BUT PLEASE KEEP

1 THIS IN MIND.

2 ---

3 CHARLES JIGGETT AND ROBERT MITCHELL, SWORN.

4

5 CHAIRMAN RHODES: DO YOU BOTH ACKNOWLEDGE YOU
6 HAVE RECEIVED A SUBPOENA TO APPEAR BEFORE THE SUBCOMMITTEE
7 TODAY?

8 MR. JIGGETT: YES.

9 MR. MITCHELL: YES.

10 CHAIRMAN RHODES: STATE YOUR NAMES AND
11 ADDRESSES FOR THE RECORD.

12 MR. JIGGETT: MY NAME IS CHARLES JIGGETT, 449
13 NORTH 66TH STREET.

14 MR. MITCHELL: ROBERT J. MITCHELL, 142 NORTH
15 HOBART STREET, PHILADELPHIA.

16 CHAIRMAN RHODES: WOULD YOU LIKE TO MAKE A
17 STATEMENT, OR DO YOU HAVE SOME WRITTEN STATEMENT YOU WOULD
18 LIKE TO GIVE US, OR HOW WOULD YOU LIKE TO PROCEED?

19 MR. JIGGETT: I HAVE VOLUNTEERED TO TESTIFY TO
20 WHAT HAPPENED TO ME, SO THAT PEOPLE HERE CAN KNOW WHAT TO
21 EXPECT.

22 REPRESENTATIVE WILLIAMS: PULL THE MICROPHONE
23 CLOSER.

24 (THE WITNESS SO COMPLIED.)

25 MR. JIGGETT: SO THAT PEOPLE CAN KNOW WHAT TO

1 EXPECT FROM POLICEMEN WHEN CONFRONTED HERE IN THE CITY, AND
2 YOU DON'T REALLY BELIEVE IT HAPPENS UNTIL IT DOES HAPPEN TO
3 YOU.

4 MR. MITCHELL: I WOULD LIKE TO SAY THAT THE
5 BRUTALITY THAT WAS SHOWN TOWARDS US SHOWS MAN'S INHUMANITY TO
6 MAN, ESPECIALLY IN THE POLICE DEPARTMENT THAT IS SUPPOSED TO
7 BE THE GUARDIANS OF THE LAW.

8 CHAIRMAN RHODES: WHY DON'T YOU PROCEED, MR.
9 JIGGETT.

10 MR. JIGGETT: THIS PARTICULAR INCIDENT OCCURRED
11 ON MEMORIAL DAY -- MEMORIAL DAY NIGHT, ABOUT 1969-70 THAT IT
12 OCCURRED, AND ROBERT MITCHELL AND I, WE WERE GOING BACK
13 TOWARDS WEST PHILLY FROM A DANCE THAT WAS BEING HELD AT THE
14 SHERATON HOTEL. IT WAS SOMEWHERE AROUND THREE-FOUR IN THE
15 MORNING.

16 CHAIRMAN RHODES: WHAT WAS THAT MONTH?

17 MR. JIGGETT: IN MAY, MEMORIAL DAY. WE WERE
18 GOING BACK TOWARDS WEST PHILADELPHIA AND WE WERE GOING TO GET
19 ON THE TRAIN AT FIFTEENTH AND MARKET. WE WERE WALKING DOWN
20 THE STEPS OF THE TRAIN STATION, AND THIS COP WAS STANDING
21 THERE WITH HIS DOG, AND HE WAS JUST STANDING THERE WITH THE
22 DOG, AND THE DOG STARTED BARKING, MAKING A LOT OF NOISE AS WE
23 WERE WALKING DOWN THE STEPS. I JUST SAID TO THE DOG "YOU
24 BETTER STOP BARKING, BECAUSE OUR TAXES PAY FOR YOUR DOG FOOD"
25 AND KEPT ON WALKING.

1 WE APPROACHED THE TURNSTYLE, AND AFTER WE
2 HAD PAID, MARVIN RAFNIN AND HIS DOG -- I BELIEVE HIS NAME IS
3 HOB0, IF I AM NOT MISTAKEN, HE SAID WE WERE UNDER ARREST.

4 NO, I THINK AT FIRST HE SAID, "HOW WOULD
5 YOU LIKE IT IF LET THE DOG LOOSE ON YOU," AND THEN I SAID,
6 "I'LL BET YOU WOULD REALLY LIKE TO DO THAT, WOULDN'T YOU?"
7 THEN WE CROSSED THROUGH THE TURNSTYLE; AS WE GOT ON THE OTHER
8 SIDE OF THE TURNSTYLE, HE SAID, "YOU'RE UNDER ARREST." I
9 IGNORED HIM AND KEPT ON WALKING. I SAW NO REASON WHY I
10 SHOULD BE UNDER ARREST. HE SAID IT AGAIN, AND I SAID, "FOR
11 WHAT?" HE DIDN'T SAY ANYTHING OTHER THAN "YOU'RE UNDER
12 ARREST" AGAIN.

13 HE WAS APPROACHING, COMING FROM THE
14 TURNSTYLE ON THE OTHER SIDE, AND I JUST TURNED AND SAID, "I
15 WILL BE UNDER ARREST." I DIDN'T FEEL LIKE BEING HASSLED FROM
16 THE COPS. AS HE APPROACHED US HE HAD HIS NIGHT STICK OUT; HE
17 HIT MITCHELL WITH HIS NIGHT STICK, AND AFTER HE STRUCK
18 MITCHELL WITH HIS NIGHT STICK, HE WENT TO SWINGING BACK AT
19 THAT COP. HE HAD NO REASON TO STOP US.

20 I GRABBED MITCHELL; I SAID, "DON'T DO THAT."
21 AFTER I RESTRAINED HIM -- HE TOLD THE CASHIER IN THE BOOTH TO
22 PUT IN AN ASSIST OFFICER CALL. AFTER THAT HE STRUCK ME.
23 WHERE THE DOG WAS AT THAT POINT, I DON'T REMEMBER, BUT THE
24 DOG WAS THERE, AND I KNOW HE STRUCK ME. AFTER HE STRUCK ME,
25 HE PUSHED ME BACK IN THE PHONE BOOTH. THAT IS THE TIME THEY

1 WERE BUILDING DOWN AT CITY HALL, DOING ALL THAT CONSTRUCTION
2 WORK. SO BY THAT TIME A BUNCH OF OTHER COPS CAME DOWN, AT
3 LEAST TEN, TWELVE OF THEM AT THAT TIME.

4 WHILE RAFKIN HAD ME, WAS BEATING ON ME, THE
5 OTHER COPS JUMPED ON MITCHELL, AND THEY WERE BEATING HIM ALL
6 OVER THE HEAD, AROUND THE BACK LIKE -- TEN, TWELVE OF THEM,
7 FOR SOME REASON. I DIDN'T GET THAT BEATEN AS BADLY AS
8 MITCHELL DID.

9 MR. MITCHELL: AS BAD AS THE BEATING WAS THAT
10 WAS INFLICTED ON ME, AFTER THEY HAD HANDCUFFED ME AND SO
11 FORTH, I WASN'T UNCONSCIOUS; THEY WERE TAKING ME UP THE
12 STAIRS. JIGGETT WAS HANDCUFFED, AND THERE WAS THREE OR FOUR
13 OFFICERS WITH DOGS AND THE DOGS WEREN'T OFF THE LEASH; THEY
14 WERE ATTACKING JIGGETT WITH HIS HANDS CUFFED BEHIND HIM.
15 THERE WAS NO WAY TO DO ANYTHING TO DEFEND HIMSELF. THAT IS
16 THE MOST VICIOUS CASE I HAVE EVER SEEN.

17 MR. JIGGETT: THEY WERE BEATING ON MITCHELL,
18 LIKE I SAID. I DIDN'T FALL ON THE GROUND; MITCHELL WAS DOWN
19 ON ONE KNEE. I WAS YELLING TO STOP IT. AFTER THE MELEE WAS
20 OVER, THEY WERE SATISFIED THEY HAD BEATEN US ENOUGH, I GUESS,
21 AND MITCHELL'S HEAD WAS A BLOODY MESS -- WE DID HAVE A
22 PICTURE WHEN IT FIRST HAPPENED; I DON'T KNOW WHERE THE
23 PICTURES ARE NOW; IT WAS SO LONG AGO.

24 THEY TOOK US UPSTAIRS IN THE COURTYARD,
25 BECAUSE OF ALL THE CONSTRUCTION THAT WAS THERE, AND IT WAS

1 THREE OR FOUR IN THE MORNING, NO ONE ELSE COULD SEE MY HANDS
2 WERE CUFFED. WE WERE STANDING IN THE COURTYARD AND THEY WERE
3 BEATING ON MITCHELL, INTO THE WAGON, BUT ANYWAY, MY HANDS
4 WERE CUFFED BEHIND ME AND THREE OFFICERS -- TWO, INCLUDING
5 RAFKIN; HE IS THE ONE I REMEMBER MOST AND BEST.

6 CHAIRMAN RHODES: WHAT WAS HIS NAME?

7 MR. JIGGETT: MARVIN RAFKIN. I DON'T KNOW IF
8 IT'S K-I-N-D; I'M NOT SURE. HIS DOG'S NAME IS HOBBO. HE AND
9 THOSE TW OTHER OFFICERS WERE STANDING THERE WITH THEIR DOGS,
10 AND TELLING THEIR DOGS TO BITE ME BECAUSE I HAD MY HANDS
11 CUFFED BEHIND ME. I WAS TRYING TO MOVE AND THEY WERE BITING
12 ME IN THE BACK OF THE KNEES AND MY LEGS, AND AROUND MY
13 TESTICLES, AND ON THE SIDE. THEY TORE MY CLOTHES OFF ME,
14 THEN THEY TOOK MITCHELL TO THE HOSPITAL, AND THEY TOOK ME TO
15 THE POLICE STATION. I THINK IT'S THE ONE ON PENNSYLVANIA AND
16 J.F.K. BOULEVARD, WHEREVER, AND WHILE I WAS THERE IN THE
17 POLICE STATION, THERE WAS A DETECTIVE WHO WAS GOING THROUGH
18 MY WALLET, AND ALL THIS STUFF. HE CAME ACROSS SOME PICTURES
19 OF TWO GIRLS, AND GOT TO ASKING ME ABOUT THEM, AND I WAS
20 SCARED GOING INTO THE POLICE STATION, AND GOING UP THE STEPS,
21 RAFKIN SAW FIT TO BEAT ME UP THE STEPS A COUPLE OF TIMES
22 WHILE MY HANDS WERE CUFFED BEHIND ME. I WAS PRETTY WELL
23 SCARED, WHAT THEY WERE GOING TO DO NEXT.

24 THEY TOOK ME TO A CELL; RAFKIN ESCORTED ME
25 TO A CELL. HE LEFT THEM CUFFED IN BACK OF ME, AND MADE SURE

1 THE HANDCUFFS WERE TIGHT, TO CUT OFF THE CIRCULATION. AFTER
2 I WAS IN THE CELL, WITH THE HANDCUFFS ON ME, THEN I KEPT
3 YELLING TO ONE OTHER COP WHO CAME DOWN, AND I ASKED HIM TO
4 TAKE THE CUFFS OFF, WHICH HE DID, AND ABOUT FIFTEEN MINUTES
5 LATER, RAFKIN CAME BACK IN AGAIN, AND PUT THE CUFFS BACK ON
6 THE SECOND TIME. HE SHUT THEM AS TIGHT AS HE COULD POSSIBLY
7 GET THEM. IT STAYED THAT WAY FOR, I GUESS, A HALF HOUR OR SO
8 UNTIL THE OTHER COP CAME AND TOOK THEM OFF. AND THAT'S IT.

9 THEN THE NEXT DAY, I WENT TO LANKENAU
10 HOSPITAL. I KNEW THEY COULDN'T REALLY DO ANYTHING FOR ME,
11 BUT I WANTED THEM TO TAKE NOTE THERE WERE DOG BITES THERE I
12 HAD RECEIVED. I SAVED THE CLOTHES I HAD ON -- I HAD TO THROW
13 THOSE CLOTHES AWAY.

14 WHEN WE GOT TO THE COURTROOM, MITCHELL HAD A
15 SEPARATE TRIAL. RAFKIN EXPLAINED -- IT WAS JUDGE WRIGHT, A
16 BLACK JUDGE -- RAFKIN EXPLAIN WHAT HE SAID WAS GOING ON, AND
17 WHILE MY LAWYER WAS QUESTIONING RAFKIN, HE FIRST ASKED RAFKIN
18 WHAT WERE WE DOING TO ATTRACT HIS ATTENTION TO US TO BEGIN
19 WITH. RAFKIN COULDN'T THINK OF ANYTHING ELSE BUT TO SAY,
20 "THEY WERE MOVING FUNNY" -- YOU KNOW, HOW NIGGERS ARE.

21 MR. MITCHELL: HE ALSO SAID, WE CURSED AT THE
22 CASHIER. SHE LATER TESTIFIED WE DIDN'T.

23 REPRESENTATIVE WILLIAMS: WAS THE CASHIER AT
24 THE TRIAL?

25 MR. MITCHELL: YES.

1 CHAIRMAN RHODES: WHAT WERE YOU CHARGED WITH?

2 MR. JIGGETT: ASSAULT AND BATTERY, RESISTING
3 ARREST, DISORDERLY CONDUCT, BREACH OF PEACE. RAFKIN TOLD THE
4 JUDGE WE TORE HIS SHIRT.

5 CHAIRMAN RHODES: WERE YOU CHARGED WITH ASSAULTING
6 AN OFFICER?

7 MR. JIGGETT: YES, ASSAULT AND BATTERY CHARGES
8 AND BREACH OF PEACE, LIKE I SAID. THE JUDGE ASKED RAFKIN --

9 REPRESENTATIVE WILLIAMS: ASSAULT AND BATTERY
10 AND ASSAULT AND BATTERY ON A POLICE OFFICER ARE SEPARATE
11 THINGS.

12 MR. JIGGETT: ASSAULT AND BATTERY ON AN
13 OFFICER.

14 MR. MITCHELL: SIMPLE ASSAULT ON AN OFFICER.

15 CHAIRMAN RHODES: BEFORE YOU GO ON WITH YOUR
16 NARRATION, THERE WAS ONE POINT YOU HAD LEFT HANGING THAT I
17 WANT TO CLARIFY. YOU SAID THE OFFICER NOTICED TWO PICTURES
18 OF GIRLS IN YOUR WALLET, AND YOU DIDN'T SAY WHAT HAPPENED AT
19 THAT POINT.

20 MR. JIGGETT: THE WAY HE WAS QUESTIONING ME
21 ABOUT THE PICTURES IT SCARED ME; IT MADE ME THINK HE WAS
22 GOING TO DO SOMETHING ELSE. THERE WAS TWO PICTURES OF TWO
23 WHITE GIRLS I KNEW, AND THE OFFICER WAS WHITE, AND THE COP
24 WAS THERE AT THE POLICE STATION, HE WAS WHITE, AND IN A VERY
25 MENACING WAY HE WAS ASKING ME ABOUT THEM.

1 CHAIRMAN RHODES: WHAT WAS HE ASKING YOU?

2 MR. JIGGETT: WHO WERE THEY; IT WAS NONE OF HIS
3 BUSINESS; I DON'T THINK HE HAD ANY RIGHT TO GO THROUGH MY
4 WALLET.

5 CHAIRMAN RHODES: THAT IS OFFICER RAFKIN?

6 MR. JIGGETT: NO, THIS WAS ANOTHER COP.

7 REPRESENTATIVE DUMAS: WHO WAS THE DETECTIVE
8 WHO WAS INVESTIGATING?

9 MR. JIGGETT: I DON'T KNOW HIS NAME. THE
10 REASON THAT I RELATE THAT INCIDENT, IT WAS THE WAY HE DID IT,
11 IT WAS IN A MENACING WAY AND SCARY TO ME. I THOUGHT OF
12 SAYING THAT SOMEBODY STUCK THEM IN THERE OR SOMETHING. THIS
13 IS PART OF THE HARASSMENT PROCESS YOU GO THROUGH AFTER YOU
14 GET ARRESTED.

15 AFTER HE ASKED HIM WHY DID HE STOP TO ARREST
16 ME, HE SAID I WAS MOVING FUNNY, AND THEN HE ASKED RAFKIN IF
17 PEOPLE EVER SAID ANYTHING TO THE DOG, IF THEY EVER SPOKE TO
18 THE DOG. RAFKIN SAID YES, AND JUST TODAY, I WAS WALKING MY
19 DOGS, AND A MAN SAID SOMETHING TO THEM. PEOPLE ALWAYS SAY
20 SOMETHING LIKE THIS. HE SAID IS THERE ANY REASON FOR HIM TO
21 BE ARRESTED, AND RAFKIN SHOOK HIS HEAD, AND THE JUDGE SAID TO
22 RAFKIN, HE SAID, IT SEEMS RATHER UNUSUAL THAT A MAN WITH NO
23 GUN, WHO ISN'T A CRIMINAL, HASN'T A CRIMINAL RECORD, WOULD
24 ATTACK YOU, AND YOU HAVE A NIGHT STICK, A GUN AND A DOG. AND
25 RAFKIN SAID, YES, SIR, I KNOW, BUT THAT IS WHAT HE DID. EVEN

1 THE JUDGE WOULDN'T BELIEVE THAT A RATIONAL MINDED PERSON
2 WOULD DO SOMETHING LIKE THAT, WHICH I DIDN'T. IT WAS THAT
3 RAFNIN FELT LIKE BEATING UP ON SOMEBODY THAT EVENING, AND I
4 WAS THERE. THAT WAS WHAT I CONCLUDED FROM THE ENTIRE
5 INCIDENT. AND WHEN THE CASE WAS DECIDED, I WAS FOUND NOT
6 GUILTY, AND ALSO THE JUDGE ASKED ME, SAID YOU WON'T BRING A
7 SUIT AGAINST THE POLICE, AND THAT WAS PART OF THE THING, ALL
8 THAT STUFF. IT REALLY MADE ME DISGUSTED WITH THE WHOLE
9 SYSTEM.

10 CHAIRMAN RHODES: WHAT DO YOU MEAN, PART OF THE
11 THING?

12 MR. JIGGETT: IN OTHER WORDS, THERE WOULD BE NO
13 VIGOROUS PROSECUTION ABOUT ANYTHING THAT HAPPENED, BUT ALSO
14 THEY DIDN'T WANT ME TO PURSUE THE MATTER.

15 REPRESENTATIVE DUMAS: DID THE JUDGE ASK YOU
16 THAT QUESTION BEFORE HE ANNOUNCED HIS DECISION?

17 MR. JIGGETT: HE DIDN'T ACTUALLY ASK; IT WAS
18 MORE LIKE AN ADVISEMENT.

19 REPRESENTATIVE WHITE: TO THE BEST OF YOUR
20 RECOLLECTION, WHAT DID HE SAY?

21 MR. JIGGETT: WHAT HE SAID WAS SIMPLY, WELL,
22 WE'LL DROP ALL THE CHARGES IF YOU DON'T PRESS ANYTHING, AND
23 MY LAWYER I HAD AT THE TIME, I SWITCHED LAWYERS, HE SAID.
24 YES, OKAY, LOOKED AT ME --

25 CHAIRMAN RHODES: THIS IS THE JUDGE OR THE

1 PROSECUTING ATTORNEY?

2 MR. JIGGETT: THERE WASN'T A PROSECUTING
3 ATTORNEY THERE THAT I CAN REMEMBER. NO PROSECUTING ATTORNEY
4 ASKED ME ANYTHING.

5 CHAIRMAN RHODES: WAS THIS A TRIAL OR A
6 PRELIMINARY HEARING?

7 MR. JIGGETT: IF HE WAS THERE, HE DIDN'T ASK ME
8 ANYTHING.

9 REPRESENTATIVE WILLIAMS: WAS IT AN A.R.D.
10 PROGRAM OR SOMETHING LIKE THAT?

11 MR. JIGGETT: I DON'T QUITE UNDERSTAND.

12 REPRESENTATIVE WILLIAMS: WAS IT A PRETRIAL
13 DISPOSITION OR SUPPOSED TO BE A TRIAL?

14 MR. JIGGETT: THIS WAS, I THINK, A PRETRIAL. I
15 DON'T REALLY -- I HAD ONE HEARING WITH ONE LAWYER.

16 REPRESENTATIVE WILLIAMS: YOU WEREN'T LISTED
17 FOR TRIAL?

18 MR. JIGGETT: THIS IS ALL THE CHARGES AGAINST
19 ME, WERE JUST DISMISSED, AS FAR AS THE COURT AND EVERYONE
20 ELSE WAS CONCERNED, IT WAS TO BE FORGIVEN.

21 MR. MITCHELL: I WENT TO TRIAL; THERE WAS A LOT
22 OF DISCREPANCIES FOUND IN THE OFFICER'S TESTIMONY.

23 CHAIRMAN RHODES: THE SAME CHARGES?

24 MR. MITCHELL: SAME CHARGES, ONLY THE OFFICER
25 SAID I ATTACKED HIM. NOW, HE WAS MORE CONCERNED ABOUT ME,

1 WHEREAS, WHEN HE FIRST SAID WE WERE UNDER ARREST, AND --

2 MR. JIGGETT: HE WAS UNDER ARREST, THEN HE
3 SAID, YOU ARE BOTH UNDER ARREST, AND WHEN WE WENT TO TRIAL,
4 LIKE I SAID, THEY FOUND MANY DISCREPANCIES.

5 MR. MITCHELL: I RECEIVED A YEAR'S PROBATION,
6 WHEREAS --

7 CHAIRMAN RHODES: YOU WERE CONVICTED?

8 MR. MITCHELL: YES.

9 CHAIRMAN RHODES: ON WHICH CHARGES?

10 MR. MITCHELL: ASSAULT AND BATTERY ON A POLICE
11 OFFICER.

12 CHAIRMAN RHODES: DID THEY MAKE THE SAME OFFER
13 THAT IF YOU WOULD NOT PRESS CHARGES, YOU WOULDN'T SERVE TIME,
14 ONLY ON PROBATION?

15 MR. MITCHELL: NO.

16 CHAIRMAN RHODES: WAS IT THE SAME JUDGE?

17 MR. MITCHELL: NO, I DON'T BELIEVE SO.

18 REPRESENTATIVE DUMAS: DO YOU REMEMBER THE
19 JUDGE THAT YOU HAD?

20 MR. MITCHELL: OFFHAND, I REALLY DON'T.

21 CHAIRMAN RHODES: IS THAT THE EXTENT OF THE
22 TESTIMONY THAT YOU WANT TO GIVE THE COMMITTEE AT THIS POINT?

23 MR. JIGGETT: YES.

24 CHAIRMAN RHODES: HAVE YOU HAD ANY OTHER
25 ENCOUNTERS WITH THE PHILADELPHIA POLICE FORCE IN PHILADELPHIA

1 COUNTY, THAT WERE SIMILAR TO THAT?

2 MR. JIGGETT: YES. ONE DAY I WAS STANDING -- I
3 LIVE AT 61ST AND GIRARD, AND I WAS WALKING UP GIRARD AVENUE
4 --

5 CHAIRMAN RHODES: WHEN WAS THIS?

6 MR. JIGGETT: I DON'T REMEMBER EXACTLY WHEN IT
7 WAS. IT WAS A COLD DAY.

8 CHAIRMAN RHODES: WHAT YEAR?

9 MR. JIGGETT: I DON'T RECALL WHAT YEAR. THIS
10 WAS ANOTHER INCIDENT, NOT NEARLY AS BAD, JUST A FORM OF
11 HARASSMENT. I DON'T REMEMBER EXACTLY THE YEAR IT HAPPENED.
12 I DO REMEMBER IT WAS A COLD DAY, AND I WALKED UP GIRARD
13 AVENUE TO 60TH STREET. I WAS STANDING THERE, LOOKING FOR
14 SOMEONE. I HAD MY HAND IN MY POCKETS BECAUSE IT WAS A COLD
15 DAY. THIS COP SAYS, "HEY YOU," I DIDN'T KNOW WHO HE WAS
16 TALKING TO, SO I DIDN'T RESPOND TO "HEY YOU." HE CAME OVER
17 TO ME AND SAID, "HEY YOU, I'M TALKING TO YOU." I SAID,
18 "WHAT'S WRONG?" HE SAID, "PUT YOUR HANDS UP AGAINST THE
19 WALL; I AM GOING TO SEARCH YOU." I SAID, "NO, I'M NOT, YOU
20 ARE NOT GOING TO SEARCH ME." I REFUSED TO DO IT. I SIMPLY
21 TOLD HIM TO SEARCH ME -- HE COULD TAKE ME UP TO THE STATION
22 HOUSE AND SEARCH ME, AND HE SAID THE REASON HE SAID SOMETHING
23 TO ME IS BECAUSE I HAD MY HANDS IN MY POCKETS, AND APPARENTLY
24 IT DIDN'T MATTER -- HE TOOK ME TO THE POLICE STATION. AS A
25 MATTER OF FACT, HIS BROTHER-IN-LAW WENT AROUND TO MY HOUSE

1 AND INFORMED SOMEONE IN MY FAMILY. ONE OF THE COPS WHO WAS
2 BEHIND THE DESK, I KNEW WHO HE WAS, AND HE TOLD THE GUY TO
3 LEAVE ME ALONE. I WENT ON BACK HOME.

4 BUT SUCH FORMS OF HARASSMENT ARE QUITE
5 COMMON. I KNOW A LOT OF PEOPLE IN MY NEIGHBORHOOD WHO HAVE
6 BEEN HARASSED BY POLICE, AND AS A MATTER OF FACT, THE POLICE
7 STATION AT 61ST AND HAVERFORD IS WHERE THEY SAID A YOUNG
8 BLACK MAN HUNG HIMSELF FOR GETTING A TRAFFIC TICKET. THAT'S
9 THE VERY SAME POLICE STATION.

10 CHAIRMAN RHODES: THANK YOU. MR. MITCHELL, DO
11 YOU HAVE ANYTHING TO ADD BEFORE WE OPEN TO QUESTIONS?

12 MR. MITCHELL: NOT TO MY TESTIMONY, BUT IT HAS
13 BECOME LIKE A WAY OF LIFE; IT HAS BECOME ACCEPTABLE THAT
14 WHITE POLICE ARE IN BLACK COMMUNITIES. YOU DON'T SEE BLACK
15 POLICEMEN IN THE NORTHEAST DOING THIS.

16 MR. JIGGETT: I KNOW IT HAS BEEN SAID BEFORE,
17 BUT RIZZO, WHO WAS POLICE COMMISSIONER AT THE TIME, AS FAR AS
18 THINGS GO, HE WILL LET THINGS LIKE THAT HAPPEN. AS FAR AS I
19 AM CONCERNED, RIZZO IS TO PHILADELPHIA WHAT IDI AMIN IS TO UGANDA.

20 CHAIRMAN RHODES: THANK YOU. ARE THERE
21 QUESTIONS FROM THE COMMITTEE?

22 REPRESENTATIVE RICHARDSON:

23 Q. MR. MITCHELL, AND MR. JIGGETT, THANK YOU FOR
24 YOUR TESTIMONY. MY LINE OF QUESTIONING WILL SPECIFICALLY
25 ADDRESS ITSELF TO WHETHER YOU FILED ANY CIVIL COMPLAINT AFTER
YOU WERE FOUND NOT GUILTY. MR. JIGGETT?

1 A. NO, I DIDN'T. I WANTED TO, BUT FIRST OF ALL
2 I DIDN'T REALLY HAVE THE MONEY FOR THE LAWYER AT THE TIME TO
3 FILE A COMPLAINT; TO BE PERFECTLY HONEST, I DIDN'T THINK
4 ANYTHING WOULD BE DONE ABOUT IT.

5 Q. DO YOU FEEL THAT THE CITY IS NO PLACE TO GO
6 TO GET THE KIND OF TREATMENT AND RESPONSE THAT YOU SHOULD
7 RELATIVE TO THE POLICE PROBLEM, IN THE CITY OF PHILADELPHIA?

8 A. WELL, THE APATHY TOWARDS THE SITUATION IS
9 SUCH THAT PEOPLE VERY RARELY BOTHER TO COMPLAIN, BECAUSE THEY
10 FEEL THAT NO ACTION WOULD BE PURSUED.

11 Q. ALSO, WHAT I AM ASKING IS WHETHER OR NOT
12 THERE IS A VEHICLE TO WHICH PEOPLE CAN GO, THAT IS READILY
13 AVAILABLE FOR THEM IN THE EVENT THAT THIS MIGHT OCCUR TO
14 THEM, THAT THEY COULD GO COMPLAIN TO?

15 A. NO.

16 Q. WAS THERE ANY PARTICULAR THING THAT YOU CAN
17 REMEMBER THE POLICE WERE SAYING WHILE THE DOG WAS BITING?
18 ANY RACIAL SLURS, ANY KIND OF CURSING? WHAT WERE THE POLICE
19 SAYING TO YOU DURING THIS PERIOD OF TIME?

20 A. THEY WEREN'T SAYING ANYTHING; THEY WERE
21 LAUGHING. I DON'T REMEMBER THEM SAYING RACIAL SLURS OR
22 ANYTHING; THEY WERE LAUGHING.

23 Q. HOW DID THEY SIC THE DOGS ON YOU?

24 A. THEY HAD THE DOGS ON RESTRAINING LEASHES,
25 SHORT LEASHES. THEY WERE GOING, "GET HIM", URGING THEM,

1 PRODDING THEM ON, AND THE DOGS WERE JUST BITING.

2 Q. HOW LONG WOULD YOU SAY THEY BIT ON YOU?

3 A. TOO LONG.

4 Q. I KNOW; I UNDERSTAND. BUT FOR THE RECORD, I
5 AM TRYING TO GET AN APPROXIMATE TIME.

6 REPRESENTATIVE DUMAS: FIVE MINUTES, TEN MINUTES?

7 MR. JIGGETT: ABOUT TWO, THREE MINUTES.

8 REPRESENTATIVE RICHARDSON:

9 Q. AFTER THE DOGS HIT YOU, WHERE WAS MR.
10 MITCHELL AT THAT TIME?

11 A. THEY PUT HIM IN THE WAGON; LIKE I SAID, THEY
12 BEAT HIM INTO THE WAGON.

13 Q. WOULD YOU FEEL THAT THIS IS THE KIND, AN
14 ONGOING KIND OF ATTITUDE THAT PERSISTS IN THIS TOWN RELEVANT
15 TO THE POLICE DEPARTMENT'S ATTITUDE TOWARDS THE COMMUNITY?
16 COULD YOU GIVE US THE OVERALL ATTITUDE OF THE POLICE
17 DEPARTMENT IN THE CITY OF PHILADELPHIA RELEVANT TO THE CITIZENRY?

18 A. WELL, I CAN'T PERSONALLY THINK OF -- NONE
19 THAT I KNOW OF, NO ONE THAT I EVER HEARD ABOUT SPEAKS
20 FAVORABLY IN THE BLACK NEIGHBORHOODS. I HAVE NEVER
21 ENCOUNTERED BLACK PERSONS WHO SPEAK FAVORABLY ABOUT POLICE IN
22 THIS CITY. I MOVED TO ATLANTA AND HAD BEEN THERE FOUR YEARS
23 GOING TO SCHOOL. THERE IS ONE THING I WILL WARN PEOPLE WHEN
24 THEY DO COME TO THIS CITY. I WILL WARN PEOPLE ABOUT THE
25 POLICE. I AM VERY SERIOUS

1 ABOUT THAT.

2 Q. WHY?

3 A. BECAUSE OF WHAT THEY DID TO ME. I WARN
4 THEM.

5 MR. MITCHELL: YOU SEE, YOU HAVE REPUTABLE
6 WITNESSES TO A POLICE BEATING, AND THEY CAN BE INTIMIDATED,
7 AND COERCED INTO CHANGING THEIR TESTIMONY, AND SO FORTH.
8 THAT DISCOURAGES PEOPLE FROM COMING FORWARD TO TESTIFY.

9 REPRESENTATIVE RICHARDSON: WHICH CASE ARE YOU
10 REFERRING TO?

11 MR. MITCHELL: THE CASE IN SOCIETY HILL WHERE
12 HE WENT THROUGH A RED LIGHT. REPUTABLE WITNESSES, BLACK AND
13 WHITE, WERE THERE. WHEN SOMETHING LIKE THAT COMES FORTH,
14 THAT EVEN REPUTABLE WITNESSES, CITIZENS ARE DISCOURAGED, IT
15 DISCOURAGES EVERYBODY. WHAT WEIGHT DOES MY TESTIMONY HAVE.

16 REPRESENTATIVE RICHARDSON:

17 Q. I WANT TO GET INTO THE REASONS OF HAVING
18 THOSE COMMUNITY MEETINGS, AS TO YOUR SPECIFIC OPINION AS TO
19 WHO RUNS THE PHILADELPHIA POLICE DEPARTMENT, HERE IN THE CITY
20 OF PHILADELPHIA? IS IT MAYOR RIZZO OR COMMISSIONER O'NEILL?

21 MR. MITCHELL: THAT IS A RHETORICAL QUESTION.

22 CHAIRMAN RHODES: THE POINT IS WELL TAKEN.

23 MR. JIGGETT: THERE IS NO DOUBT IN MY MIND, THE
24 POLICE ARE ENCOURAGED TO DO WHAT THEY DO BY RIZZO. AS LONG
25 AS RIZZO IS GOING TO BE IN POWER, HE IS GOING TO LET THE

1 POLICE RUN ROUGHSHOD AND YOU CAN SAY -- WELL, LET ME PUT IT
2 THIS WAY, RIZZO TOOK A LIE DETECTOR TEST, AND HE LIED, AND
3 THE F.O.P. WILL NOT ALLOW THE POLICE TO TAKE LIE DETECTOR
4 TESTS. I WOULD TAKE A LIE DETECTOR TEST IF RAFKIN WOULD GET
5 UP HERE AND TAKE THE SAME. RIZZO BASICALLY LIED; WHAT DO YOU
6 EXPECT HIS MEN TO DO.

7 REPRESENTATIVE RICHARDSON:

8 Q. WHAT DO YOU THINK THIS SUBCOMMITTEE ON CRIME
9 AND CORRECTIONS COULD DO, IN ORDER TO REALLY GET DOWN, TO
10 RESOLVING THE SERIOUS QUESTION OF POLICE VIOLENCE HERE IN THE
11 CITY OF PHILADELPHIA?

12 A. WHAT I WOULD LIKE TO SEE DONE, IS FOR THOSE
13 COPS TO BE BROUGHT TO TRIAL. IF WE CAN BE BROUGHT TO TRIAL,
14 IF WE CAN BE MADE TO TELL THE TRUTH UNDER OATH -- AND I HAVE
15 NEVER SEEN A BIGGER LIAR THAN RAFKIN, AND HE PLACED HIS HAND
16 ON THE SAME BIBLE THAT I DID -- HE SWORE THAT WE PROVOKED
17 HIM, THAT MITCHELL ATTACKED HIM, AND AFTER WHAT HE SAID TO US
18 -- I THINK THAT THE COPS SHOULD BE MADE TO TAKE THE LIE
19 DETECTOR TEST THE SAME AS THE PEOPLE ACCUSING THEM ARE
20 WILLING TO TAKE THEM.

21 ALSO SOMEWHERE ALONG THE LINE, THERE IS A
22 CONFLICT OF TESTIMONY; SOMEBODY ISN'T TELLING THE TRUTH, AND
23 THE TRUTH IS SUPPOSED TO BE WHAT IT'S ALL ABOUT. JUSTICE
24 SHOULD TAKE OFF THE BLINDFOLD AND LOOK AND SEE WHAT IS GOING
25 ON IN HER NAME. THAT LADY WOULD BE INFURIATED.

1 CHAIRMAN RHODES: REPRESENTATIVE DUMAS, DO YOU
2 HAVE ANY QUESTIONS?

3 REPRESENTATIVE DUMAS: JUST A FEW.

4 REPRESENTATIVE DUMAS:

5 Q. MR. MITCHELL, ACCORDING TO YOUR TESTIMONY,
6 YOU FEEL AS THOUGH YOU WERE WRONGLY CHARGED, THAT YOU WERE
7 INNOCENT OF THE CRIME THAT YOU WERE CONVICTED FOR, IS THAT
8 CORRECT?

9 A. THAT IS CORRECT.

10 Q. AFTER HAVING BEEN FOUND GUILTY BY THE JUDGE,
11 DID YOU SEEK ANY APPEAL?

12 A. NO. ORIGINALLY WE APPLIED FOR APPEAL TO THE
13 AMERICAN CIVIL LIBERTIES UNION, AND THAT WAS A COMPLETE WASTE
14 OF TIME AS FAR AS I AM CONCERNED.

15 Q. WHAT WAS THEIR RESPONSE?

16 A. THEIR RESPONSE WAS THAT WE HAVE MANY CASES
17 LIKE THAT, WE WILL GET TO YOU WHEN WE CAN. I NEVER PURSUED
18 IT AFTER THAT.

19 Q. DID YOU EVER THINK OF SEEKING PRIVATE
20 COUNSEL?

21 A. IF I COULD HAVE AFFORDED IT.

22 Q. DID YOU THINK OF IT?

23 A. YES. I WORKED FOR THE PENNSYLVANIA LIQUOR CONTROL
24 BOARD, THIS IS ON MY RECORD, BUT FORTUNATELY, IT DIDN'T HAVE
25 ANY ADVERSE EFFECT. ANY TIME I GO TO GET A JOB OF SOME SORT,

1 THOUGH, THIS IS ON THE RECORD.

2 MR. JIGGETT: AT THE TIME THIS INCIDENT
3 OCCURRED, I WAS SUPPOSED TO START WORKING FOR THE INTERNAL
4 REVENUE SERVICE, BUT BECAUSE OF THIS INCIDENT, I DID HAVE TO
5 PUT THAT DOWN ON THE APPLICATION, AND I NEVER DID GET THAT
6 JOB. IT IS SOMETHING THAT EVEN NOW, WHEN I GO TO APPLY FOR A
7 JOB I HAVE TO DO. IT REALLY RANKLES ME THAT I HAVE TO PUT
8 DOWN SOMETHING EVEN THOUGH IT OCCURRED A LONG TIME AGO. I AM
9 STILL PAYING FOR IT.

10 REPRESENTATIVE DUMAS: I AM DEFINITELY PROUD OF
11 YOU HERE TODAY. I AM SORRY TO HEAR OF THE TERRIBLE
12 EXPERIENCES YOU HAD WITH THE POLICE, BUT BY YOU TELLING THIS
13 STORY, IT MIGHT HELP US TO COME FORTH WITH SOME TYPE OF LAW
14 THAT WILL PROFIT SOME OTHERS FROM GOING THROUGH THE SAME
15 THING AGAIN.

16 I WANT TO THANK YOU FOR YOUR TESTIMONY.

17 CHAIRMAN RHODES: I WOULD LIKE TO ACKNOWLEDGE
18 THE PRESENCE OF REPRESENTATIVE EDWARD WIGGINS, WHO IS A
19 MEMBER OF THIS SUBCOMMITTEE, FROM PHILADELPHIA.

20 REPRESENTATIVE WILLIAMS: IT IS MY
21 UNDERSTANDING THAT NEITHER ONE OF YOU GENTLEMEN HAD A
22 CRIMINAL RECORD?

23 MR. MITCHELL: I HAD ONE.

24 REPRESENTATIVE WILLIAMS: I AM INTERESTED IN
25 THE CHARGES IT WAS ASSAULT AND BATTERY ON A POLICE OFFICER, I

1 THINK AT THAT TIME. WE DIDN'T HAVE WHAT WE NOW HAVE IN THE
2 LAW, FROM THE CRIMES CODE, WAS CHANGED BY THE STATE
3 LEGISLATURE. IT INCREASED THE PENALTY FOR ASSAULT AND
4 BATTERY, IF THAT ASSAULT AND BATTERY OCCURRED IN THE PROCESS
5 OF AN OFFICER MAKING AN ARREST, SO THAT IF TODAY, A PERSON
6 WAS CHARGED WITH ASSAULT AND BATTERY ON A POLICE OFFICER
7 DURING THE PROCESS, THEY WOULD BE CHARGED WITH A FELONY.

8 IF THE SAME THING OCCURRED BETWEEN PRIVATE
9 CITIZENS, IT WOULD BE A MISDEMEANOR, BUT MERELY BECAUSE IT
10 WAS A POLICE OFFICER, IT IS NOW A FELONY. THAT WAS A CHANGE
11 IN THE LAW TO MAKE IT A FELONY TO MAKE SURE THOSE MORE
12 SERIOUS CRIMES ARE TREATED THAT WAY.

13 WHAT YOU GENTLEMEN, IF WHAT YOU SAY IS TRUE,
14 THAT IN FACT, YOU DID NOTHING, THE LAW WILL PENALIZE YOU EVEN
15 MORE TODAY BECAUSE OF THIS POLICE OFFICER, AND WE HAVE
16 CHANGED THE LAW TO MAKE IT THAT WAY.

17 IT SEEMS TO ME FROM WHAT YOU ARE STATING,
18 THAT IF IN FACT, THE POLICEMAN IS LESS THAN TRUTHFUL, LYING
19 ABOUT SOMETHING LIKE ASSAULT AND BATTERY, AND HE IMPOSES UPON
20 A CITIZEN A FELONY WHICH IN FACT, HASN'T BEEN COMMITTED,
21 WOULD YOU THINK, THEREFORE, THE CHANGE IN THE LAW WHICH MAKES
22 THE MERE FACT THAT THE POLICE OFFICER IS INVOLVED, THAT MAKES
23 IT A FELONY, IS A BAD LAW BECAUSE IT CAN BE USED AND ABUSED?

24 MR. JIGGETT: YES. LET ME COMMENT ON THIS.

25 REPRESENTATIVE WILLIAMS: DO YOU THINK IT IS

1 TRUE?

2 MR. JIGGETT: YES.

3 REPRESENTATIVE WILLIAMS: LET ME GO ON. FROM
4 YOUR TESTIMONY, I GOT FROM ONE OF YOU, THE IDEA THAT YOUR
5 BLACK HERITAGE HAD SOMETHING TO DO WITH THOSE EVENTS. IS
6 THAT TRUE OR NOT?

7 MR. JIGGETT: I BELIEVE SO.

8 REPRESENTATIVE WILLIAMS: YOU FURTHER STATED, I
9 BELIEVE, YOU DON'T KNOW ANY BLACK PERSON -- I DON'T THINK IT
10 IS ACCURATE -- BUT YOU DON'T KNOW ANY BLACK PEOPLE WHO WOULD
11 SPEAK KINDLY OF THE POLICE.

12 MR. JIGGETT: THAT'S RIGHT. I DON'T KNOW OF
13 ANY.

14 REPRESENTATIVE WILLIAMS: ARE YOU EXPRESSING BY
15 THAT THAT MINORITIES SEEM TO THINK THAT THERE IS SOME
16 PREJUDICE AGAINST THEM WHEN IT COMES TO POLICE ARREST?

17 MR. JIGGETT: MOST DEFINITELY.

18 REPRESENTATIVE WILLIAMS: IF THERE IS ANY BASIS
19 TO THAT, AND THERE IS A LAW WHICH SAYS, MERELY BECAUSE A
20 POLICEMAN IS INVOLVED, IF IN FACT, SOMEONE IS BIASED, IT
21 WOULD BE VERY SIMPLE TO EXERCISE THAT BIAS, AND AT THE SAME
22 TIME CREATE A FELONY, IS THAT NOT ACCURATE?

23 MR. JIGGETT: THAT IS VERY TRUE.

24 REPRESENTATIVE WILLIAMS: IN YOUR CASE, A
25 SITUATION WHERE YOU DID NOTHING, A POLICE OFFICER CAME IN AND

1 LIED, AND SAID YOU DID SOMETHING --

2 MR. MITCHELL: IT IS VERY COMMON.

3 REPRESENTATIVE WILLIAMS: WHAT DO YOU MEAN?

4 MR. MITCHELL: I KNOW FROM PEOPLE WHO HAVE BEEN
5 CHARGED WITH ASSAULT AND BATTERY, I KNOW A FEW OFFICERS, AND
6 THE HARDEST THEY WERE HIT WAS A REPRIMAND. THIS IS GOING
7 BACK A FEW YEARS.

8 REPRESENTATIVE WILLIAMS: WHEN YOU SAY IT IS
9 COMMON ARE YOU SAYING VERY COMMON THAT OFFICERS COME IN AND
10 LIE?

11 MR. MITCHELL: DEFINITELY. EVEN WITH
12 WITNESSES, EXCEPT WHEN THERE IS PUBLICITY, AND SO FORTH
13 INVOLVED. WE ARE STARTING TO GET INVESTIGATIONS ON A BETTER
14 SCALE, BUT I DON'T SEE ANY RESULTS FROM THE INVESTIGATIONS; I
15 REALLY DON'T.

16 REPRESENTATIVE WILLIAMS: IF THE POLICEMAN, THE
17 OFFICER OF THE LAW WHO PROTECTS YOU AGAINST CRIME, WOULD COME
18 INTO COURT AND LIE, THAT SEEMS TO BE A SERIOUS KIND OF
19 POISONING OF THE JUDICIAL SYSTEM, WOULDN'T YOU SAY?

20 MR. MITCHELL: AN INDICTMENT ON THE JUDICIAL
21 SYSTEM.

22 REPRESENTATIVE WILLIAMS: WELL, IT SEEMS TO ME,
23 MOST OF US WOULD WANT TO BE JUDGED FAIRLY IN THE AMERICAN
24 JUDICIAL SYSTEM. IT IS MORE THAN AN INDICTMENT, IF WHAT YOU
25 SAY IS TRUE. YOU SAY IT IS QUITE COMMON, AND IT IS EVEN MORE

1 SERIOUS BECAUSE YOU ARE SUGGESTING THAT OFFICERS CAN SAY WHAT
2 THEY WANT TO SAY AND COME INTO COURT AND LIE. THAT SEEMS TO
3 BE A VERY UNHEALTHY SITUATION.

4 WHAT ABOUT THE PEOPLE WHO HAVE TO HEAR
5 WHATEVER THE OFFICER HAS TO SAY, THE JUDGE, THE JURY? DO
6 YOU HAVE ANY EXPERIENCE WITH THAT?

7 MR. MITCHELL: I JUST SPEAK FROM MY CASE.

8 REPRESENTATIVE WILLIAMS: YOU HAD A JUDGE
9 WITHOUT A JURY?

10 MR. MITCHELL: I HAD A JUDGE WITHOUT A JURY.
11 THERE IS NOT THAT MUCH WITH THE POLITICAL PRESSURE PUT UPON
12 JUDGES -- THIS IS NOT AN ERRONEOUS THING -- I THINK YOU
13 GENTLEMEN KNOW THIS EXISTS, POLITICAL PRESSURE. THEY ARE NOT
14 GOING TO EXERCISE THE LAW TO THE FULL EXTENT.

15 REPRESENTATIVE WILLIAMS: WHAT DO YOU THINK
16 ABOUT THE POLITICAL PRESSURE PUT UPON JUDGES THAT WOULD
17 PREVENT THEM FROM CALLING A FAIR SHOT WHEN IT COMES BETWEEN A
18 CITIZENS TESTIMONY AND WHAT ABOUT THE POLITICAL PRESSURE THAT
19 DOES NOT ALLOW JUDGES IN THE AMERICAN SYSTEM IN PHILADELPHIA,
20 TO DO THAT?

21 MR. MITCHELL: A PATRONAGE TYPE OF THING. SAY
22 HE OWES A FAVOR TO THE MAN WHO HELPED HIM GET INTO OFFICE.
23 THEY ARE NOT GOING TO LET HIM FORGET THAT.

24 REPRESENTATIVE WILLIAMS: WHAT ABOUT THE
25 POLICEMAN WHO COMES INTO COURT AND LIES ON A PRIVATE CITIZEN?

1 MR. MITCHELL: YOU START WITH THE COMMISSIONER.

2 REPRESENTATIVE WILLIAMS: HE IS APPOINTED. I
3 AM TRYING TO GET WHAT YOUR THOUGHTS ARE --

4 MR. MITCHELL: I MIGHT STUMBLE A LITTLE BUT THE
5 TRUTH WILL COME OUT.

6 REPRESENTATIVE WILLIAMS: IN ANY EVENT, IT IS
7 YOUR PERCEPTION FROM WHAT YOU SAY, THAT LYING IS QUITE
8 COMMON; POLICE OFFICERS GET IN A SITUATION, AND IT IS QUITE
9 COMMON THAT JUDGES BELIEVE THEM, BECAUSE OF CERTAIN
10 POLITICAL PRESSURES. THAT IS YOUR EXPERIENCE?

11 MR. MITCHELL: YES, INSTEAD OF BEING JUDGES OF
12 THE LAW, THE LAWS ARE IN THEIR OWN HANDS, BECAUSE I THINK
13 MAYOR RIZZO FASHIONS HIMSELF AFTER MAYOR DALEY IN CHICAGO.

14 REPRESENTATIVE WILLIAMS: I'M SORRY; I'M TRYING
15 TO GET MY POINT. DO YOU THINK THAT MANY PEOPLE WILL SHARE
16 YOUR BELIEF, AND PERCEPTION AND IF SO, WHO ARE THOSE PEOPLE?

17 MR. JIGGETT: DO YOU MEAN NAME FOR NAME? FRIENDS AND
18 ACQUAINTANCES THAT I HAVE SPOKEN TO, HAVE HAD ENCOUNTERS.

19 REPRESENTATIVE WILLIAMS: LET ME ASK YOU POINT
20 BLANK. DO YOU THINK BLACK PEOPLE IN ANY SUBSTANTIAL NUMBER
21 BELIEVE THAT AS A GROUP, OR ANY AGE GROUPS OF BLACK PEOPLE
22 ALONG THAT LINE?

23 MR. JIGGETT: I WOULD SAY YES TO A CERTAIN
24 DEGREE, BUT MOST PEOPLE --

25 REPRESENTATIVE WILLIAMS: IF YOU DON'T KNOW,

1 SAY IT.

2 MR. JIGGETT: I WOULD SAY YES TO A CERTAIN
3 DEGREE, BUT MOST PEOPLE LIKE TO BE IDEALISTIC, AND BECAUSE OF
4 THIS IDEALOGY, THEY MIGHT FEEL AS THOUGH THEY MIGHT NOT
5 NECESSARILY WANT TO BELIEVE IT, BECAUSE THEY JUST DON'T WANT
6 TO BELIEVE THINGS LIKE THIS DO EXIST. HOWEVER, IDEALISM AND
7 REALITY ARE TWO, ENTIRELY DIFFERENT THINGS. IDEALISTICALLY,
8 I WOULD SAY THEY DON'T BELIEVE IT, BUT THE REALITY, WHEN IT
9 HAPPENS, YES, THEY DO.

10 REPRESENTATIVE WILLIAMS: ANYBODY THAT IT
11 HAPPENS TO BELIEVES IT.

12 MR. JIGGETT: PEOPLE THAT THIS HAPPENED TO JUST
13 RECENTLY, POLICE BROKE INTO A PERSON'S HOUSE, WITH NO
14 WARRANTS OR ANYTHING. THE PERSON'S MONEY IS MISSING.

15 REPRESENTATIVE WILLIAMS: WHAT I AM TRYING TO
16 ASK YOU, IF YOU KNOW, I DON'T WANT YOU TO SAY ANYTHING YOU
17 DON'T KNOW. SOME THINGS ARE NOT TRUE; PEOPLE STILL PERCEIVE
18 THEM THAT WAY. IT IS STILL A REALITY THAT HAS TO BE DEALT
19 WITH. I AM ASKING YOU IF YOU HAVE ANY OPINION ON HOW PEOPLE
20 PERCEIVE A SITUATION -- AS MR. MITCHELL PUT IT, IT IS QUITE
21 COMMON THAT JUDGES BELIEVE THOSE LIES, BECAUSE OF CERTAIN
22 POLITICAL FACTORS. DO PEOPLE THAT YOU ASSOCIATE WITH
23 PERCEIVE IT THAT WAY?

24 MR. JIGGETT: PEOPLE I ASSOCIATE WITH DO
25 PERCEIVE IT THAT WAY.

1 REPRESENTATIVE WILLIAMS: THEN YOU ARE SAYING
2 THAT PEOPLE HAVE A PERCEPTION THAT THE SYSTEM WORKS AGAINST
3 THEM, INSTEAD OF FOR THEM, AND THAT IN MANY CASES BEGINS WITH
4 WHO THE OFFICERS ARE?

5 MR. JIGGETT: YES.

6 REPRESENTATIVE WILLIAMS: THANK YOU.

7 MR. JIGGETT: LINE I SAID PREVIOUSLY --

8 CHAIRMAN RHODES: THANK YOU VERY MUCH.

9 REPRESENTATIVE WILLIAMS: I DID HAVE ONE MORE
10 QUESTION.

11 CHAIRMAN RHODES: OFF THE RECORD.

12 (DISCUSSION HELD OFF THE RECORD.)

13 REPRESENTATIVE WILLIAMS: I AM A COMMITTEE
14 MEMBER, AND WE ARE HERE FOR A PURPOSE. I JUST WANT TO CLEAR
15 UP WHAT I THINK IS VERY IMPORTANT. IF ANYBODY HAS EXPERT
16 TESTIMONY, I WOULD LIKE TO SAY THAT WE NEED THEIR TESTIMONY.
17 IF WE LEAVE OUT THE PERCEPTION OF THE COMMUNITY, WE WOULD
18 HAVE MISSED OUR FACT-FINDING JOB ACCORDING TO LAW. IT IS AS
19 MUCH HOW PEOPLE PERCEIVE IT AS IT IS.

20 CHAIRMAN RHODES: THE CHAIR RECOGNIZES
21 REPRESENTATIVE WIGGINS.

22 REPRESENTATIVE WIGGINS: IN VIEW OF WHAT WAS
23 JUST SAID, I WAIVE ANY QUESTIONS I MIGHT HAVE ASKED.

24 CHAIRMAN RHODES: ANY OTHER QUESTIONS TO THE
25 WITNESSES ABOUT THE SPECIFIC EVENTS? THEY DID HAVE VERY

1 CRITICAL EXPERIENCES THAT THIS COMMITTEE HAS TO KNOW IN
2 DETAIL ABOUT. DO YOU HAVE ANY OTHER QUESTIONS? IF NOT,
3 THANK YOU VERY MUCH FOR BEING WITH US. WE APPRECIATE YOUR
4 COMING FORWARD. IT IS IMPORTANT, AND WE THANK YOU VERY MUCH
5 FOR GIVING YOUR TESTIMONY.

6 MR. JIGGETT: I HOPE SOMETHING COMES OUT OF IT.

7 CHAIRMAN RHODES: THAT IS WHAT I AM TRYING TO
8 MAKE SURE HAPPENS.

9 DOROTHY ARMSTRONG, IS IT? DO YOU HAVE
10 SOMEONE SITTING WITH YOU?

11 MRS. ARMSTRONG: I HATE TO SIT WITH MY BACK TO
12 PEOPLE.

13 CHAIRMAN RHODES: MRS. ARMSTRONG, DO YOU HAVE A
14 SUBPOENA TO APPEAR HERE TODAY BEFORE THIS SUBCOMMITTEE?

15 MRS. ARMSTRONG: YES.

16 ---

17 DOROTHY ARMSTRONG, SWORN.

18 MRS. ARMSTRONG: MY NAME IS DOROTHY ARMSTRONG,
19 I LIVE AT 4461 DIAMOND STREET. WHEN THIS INCIDENT HAPPENED,
20 I LIVED AT 5491 MORSE STREET. THIS HAPPENED ON MAY 9, 1974,
21 AND IT HAPPENED TO MY SON, MARK ARMSTRONG, WHO WAS AT THE
22 TIME SEVENTEEN YEARS OLD.

23 ON THE NIGHT OF MAY 9, MARK WAS COMING HOME
24 FROM HIS GIRLFRIEND'S HOUSE WHO LIVED AT 58 AND LOUDEN. AS
25 HE GOT ABOUT A BLOCK, A HALF BLOCK FROM OUR HOUSE, HE WAS

1 STOPPED BY TWO POLICEMEN WHO WERE STANDING BESIDE A WAGON.
2 THEY ASKED HIM WHERE HE WAS COMING FROM AND HE TOLD THEM HE
3 WAS COMING FROM HIS GIRLFRIEND'S HOUSE.

4 ONE POLICEMAN MADE A GESTURE AS TO INDICATE
5 HOW TALL HE WAS, AND THE OTHER POLICEMAN SAID, LET HIM GO,
6 BUT THEY DIDN'T LET HIM GO. THEY HANDCUFFED HIM AND THREW
7 HIM INTO THE POLICE WAGON, AND THEY TOOK HIM TO THE
8 NINETEENTH DISTRICT, AT 61ST AND THOMPSON, AND WHEN HE GOT
9 THERE, THEY STARTED QUESTIONING HIM ABOUT A BURGLARY. HE
10 SAID HE HAD NO KNOWLEDGE OF THE BURGLARY.

11 I HESITATE TO SAY THIS, THERE WAS ANOTHER
12 BOY IN THE WAGON, WHEN THEY TOOK HIM IN, BUT THEY ASKED HIM
13 ABOUT THE BURGLARY AND HE SAID HE HAD NO KNOWLEDGE OF IT, AND
14 THAT HE HAD BEEN SICK WITH SICKLE CELL ANEMIA FOR THE LAST
15 WEEK.

16 CHAIRMAN RHODES: DOES YOUR SON SUFFER FROM
17 SICKLE CELL ANEMIA?

18 MRS. ARMSTRONG: YES. THEY THEN BROUGHT IN AN
19 OLD MAN TO IDENTIFY MY SON, AND THE OLD MAN SAID HE DID NOT
20 KNOW MY SON. THEY THEN TOOK HIM INTO A ROOM, WHERE HE WAS
21 ASKED TO TAKE OFF ALL OF HIS CLOTHING -- ALL HIS CLOTHING, HE
22 AS WELL AS THE OTHER BOY.

23 AFTER HE HAD TAKEN OFF HIS CLOTHING, THEY
24 TOLD HIM TO BEND OVER AND SPREAD HIS BUTTOCKS, AT WHICH TIME
25 THEY LAUGHED AND MADE FUN OF HIM, AND THEN THEY BROUGHT HIS

1 CLOTHES BACK, AND TOLD HIM TO PUT THEM ON. WHEN HE GOT HIS
2 CLOTHES BACK, THEY NOTICED A PAPER IN HIS POCKET WITH A PHONE
3 NUMBER OR TWO ON THERE, AND HE JUST THREW IT ON THE FLOOR.
4 THEY MADE HIM GO BACK OUT AND STAND IN A CORNER. THEN THEY
5 CAME BACK, AND THEY BEAT UP THE FIRST BOY, THREW HIM OUT AND
6 SAID, "ARMSTRONG, YOU'RE NEXT."

7 THEY TOOK HIM IN A ROOM, AND A POLICEMAN
8 STARTED BEATING HIM UP, KNOCKED HIM ON THE GROUND, SAID,
9 "NIGGER, NIGGER, NIGGER, I AM GOING TO TEACH YOU TO BEAT UP
10 ON WHITE PEOPLE."

11 AFTER HE HAD BEAT HIM FOR A WHILE, ANOTHER
12 POLICE OFFICER CAME IN AND SAID, I THINK HE HAS HAD ENOUGH.
13 SO THEN THEY TOOK HIM TO A ROOM, WHERE HE WAS TOLD TO SIT
14 UNTIL THE J.A.D. OFFICER CAME, AND THE J.A.D. OFFICER CAME
15 AND SAID, "MARK, WHAT HAPPENED TO YOU?" HE SAID, "THEY BEAT
16 ME UP." SO THEN HE SAID, "TELL ME WHAT HAPPENED, MARK".
17 MARK EXPLAINED TO HIM THAT HE WAS COMING FROM HIS
18 GIRLFRIEND'S HOUSE --

19 (PAUSE.)

20 REPRESENTATIVE DUMAS: TAKE YOUR TIME.

21 MRS. ARMSTRONG: I'LL BE ALL RIGHT. THE POLICE
22 BROUGHT HIM TO THE STATION, AND HAD BEATEN HIM UP. HE HAD
23 CALLED HIS GIRLFRIEND'S AND THEY TESTIFIED TO THE FACT THAT
24 MARK INDEED HAD BEEN THERE, AND HE HAD LEFT THE HOUSE AT THE
25 TIME HE TOLD THEM HE HAD. THE POLICE ASKED TO SPEAK TO HER

1 MOTHER, AND THE MOTHER SAID, YES, MARK WAS HERE, AND HE DID
2 LEAVE SOMETIME AFTER ELEVEN O'CLOCK -- AFTER THE ELEVEN
3 O'CLOCK NEWS WENT OFF.

4 SO THE JUVENILE AID OFFICER CALLED ME UP AND
5 HE SEEMED VERY CONCERNED. HE SAID, 'MRS. ARMSTRONG, I THINK
6 YOU BETTER COME RIGHT DOWN HERE.' WHEN I GOT THERE I SAW MY
7 SON SITTING THERE ALL BEATEN UP. I SAID, 'MY GOD, WHAT DID
8 THEY DO YOU?' HE SAID, 'MOM, THERE ISN'T ANYTHING YOU CAN DO
9 ABOUT IT.' THE JUVENILE AID OFFICER SAID, 'MRS. ARMSTRONG,
10 YOU SHOULD VOICE YOUR COMPLAINT.'

11 I WENT UP TO THE WINDOW AND I SAID TO THE
12 POLICEMAN ON DUTY, 'I DON'T APPRECIATE WHAT YOU DID TO MY
13 SON. I PLAN ON TAKING ACTION.' HE LOOKED AT ME LIKE I
14 WASN'T EVEN THERE, AND DIDN'T SAY ANYTHING. SO THEN WE TOOK
15 MARK TO THE HOSPITAL, ON CITY LINE AVENUE. A DOCTOR EXAMINED
16 HIM, AND TOLD HIM WHAT TO DO FOR THE SWELLING ON HIS FACE,
17 AND THEY TOLD HIM TO GO BACK TO BED. HE DID GO TO BED THE
18 NEXT DAY. THE COMMUNITY PROGRESS ASSOCIATION AND MYSELF GOT
19 IN TOUCH WITH DAVE RICHARDSON, AND HARDY WILLIAMS AND CHARLES
20 BOWSER, AND WENT DOWN TO SEE THE DISTRICT ATTORNEY, EMMETT
21 FITZPATRICK. HE TOLD US HE WOULD INVESTIGATE THE CASE.

22 SO, AFTER A FEW DAYS OF INVESTIGATION BY THE
23 POLICE OF THE INTERNAL AFFAIRS UNIT, AND THE DISTRICT
24 ATTORNEY'S OFFICE, AND QUESTIONS OF MARK, LIKE HE HAD
25 COMMITTED A CRIME, AND HE HAD TO REMEMBER EVERY LITTLE

1 DETAIL, EVERY ROOM, EVERY COLOR OF THE DOORS AND WINDOWS,
2 EVERY PERSON HE CAME IN CONTACT WITH, WHICH I AM THANKFUL HE
3 WAS AWARE ENOUGH TO REMEMBER.

4 AFTER THEY WERE SATISFIED WITH THEIR
5 INVESTIGATION AND MARK HAD PICKED OUT A PICTURE OF THE POLICE
6 OFFICER WHO BEAT HIM, THE POLICE OFFICER WAS ARRESTED.

7 CHAIRMAN RHODES: WHAT WAS HIS NAME?

8 MRS. ARMSTRONG: IT IS IN FEDERAL COURT AND I DO NOT
9 WISH TO GIVE HIS NAME HERE; HOWEVER YOU HAVE SUBPOENAED THE RECORDS

10 CHAIRMAN RHODES: THANK YOU.

11 MRS. ARMSTRONG: THE CASE THEN WENT TO COURT.
12 THEY METICULOUSLY PICKED OUT AN ALL-WHITE JURY. ONE OF THE
13 JURORS UPON HEARING THE CASE, ON THE FIRST DAY, BECAME ILL,
14 AND HAD TO BE DISCHARGED, AND A BLACK FEMALE TOOK THAT
15 JUROR'S PLACE. -- I'M SORRY, THAT IS NOT TRUE. THE FIRST
16 TIME IT WAS HEARD BEFORE JUDGE CONROY, THE JUDGE FOUND THE
17 POLICEMAN GUILTY OF ASSAULT AND BATTERY.

18 THE SECOND TIME -- HE HAD THE RIGHT OF
19 APPEAL, OF COURSE -- HE WAS GIVEN ANOTHER TRIAL, THAT IS
20 WHEN THEY PICKED THE ALL-WHITE JURY. THE BLACK WOMAN BECAME
21 A JUROR BECAUSE ONE OF THE JURORS BECAME ILL. AGAIN, THE
22 POLICEMAN WAS FOUND GUILTY, IN SPITE OF THE FACT THERE WAS AN
23 ALL-WHITE JURY, AND ONE BLACK PERSON PRESENT.

24 I WANT TO TELL YOU WHAT THAT GENTLEMAN JUST
25 TESTIFIED ABOUT, HOW THE POLICE LIE, IT IS INCREDIBLE, THE

1 LIES THEY TELL ON THE STAND. WHEN THE J.A.D. OFFICER WAS
2 GIVING A RELEASE TO MY SON, THE POLICEMAN SAID, CHARGE HIM
3 WITH SOMETHING -- AND WHATEVER TERMINOLOGY -- TUNED UP OR
4 FIRED UP OR WHATEVER THE TERMINOLOGY WAS -- THE J.A.D.
5 OFFICER SAID, I CAN'T CHARGE THE BOY WITH ANYTHING; HE HASN'T
6 DONE ANYTHING. THIS IS A SERIOUS PROBLEM; THEY SHOULDN'T BE
7 CHARGED WHEN THEY HAVEN'T DONE ANYTHING.

8 SO, I WANT TO TELL YOU WHAT HAPPENED --

9 CHAIRMAN RHODES: BEFORE YOU GO ON, MRS.
10 ARMSTRONG, YOUR TELLING THE NAME OF THE OFFICER WOULDN'T HURT
11 THE CASE IN FEDERAL COURT. IT WOULD BE VERY HELPFUL TO HAVE
12 IT; IT IS PUBLIC INFORMATION.

13 MRS. ARMSTRONG: CHARLES BORIA, LIEUTENANT
14 CHARLES BORIA -- CORPORAL CHARLES BORIA. AFTER THAT, WE WERE
15 GLAD WE HAD A VICTORY. THREE YEARS MY SON HAD TO DROP OUT OF
16 COLLEGE. I HAD TO GIVE UP MY BUSINESS PRACTICE TO GO
17 SOMEWHERE ELSE. WE SUFFERED A LOT.

18 CHAIRMAN RHODES: DID YOU HAVE TO MOVE?

19 MRS. ARMSTRONG: I DIDN'T MOVE BECAUSE OF THAT
20 REASON. I DID FEEL BETTER MOVING.

21 REPRESENTATIVE WIGGINS: COULD WE ASCERTAIN
22 WHAT THE YOUNG MAN WAS CHARGED WITH?

23 MRS. ARMSTRONG: HE WAS NEVER CHARGED WITH
24 ANYTHING.

25 CHAIRMAN RHODES: THANK YOU, MRS. ARMSTRONG.

1 MRS. ARMSTRONG: THE JUVENILE AID OFFICER
2 REFUSED TO CHARGE HIM, SO AFTER THE CASE, WE WERE VERY HAPPY,
3 WE FELT AS THOUGH WE HAD RECEIVED PROPER REDRESS UNDER THE
4 LAW, AND I PICKED UP THE NEWSPAPERS, THE DAILY NEWS, ABOUT
5 THREE DAYS LATER, AND I SAW WHERE CORPORAL CHARLES BORIA IS
6 TO RECEIVE A NEW TRIAL. LET ME TELL YOU WHAT HAPPENED.

7 A JUROR WAS PERMITTED, ACCORDING TO THE
8 ACCOUNT, TO LEAVE THE COURTROOM, AND WALK TO FIFTEENTH AND
9 SPRUCE STREET, WHERE SHE WAS SUPPOSED TO HAVE ENCOUNTERED A
10 POLICEMAN, AND SHE WAS SUPPOSED TO HAVE SAID TO THE
11 POLICEMAN, 'I JUST HELPED CONVICT AN INNOCENT PERSON,' AND
12 ON THE STRENGTH OF THAT, CHARLES BORIA GOT A NEW TRIAL,
13 BECAUSE OF THE FACT THAT THIS JUROR CLAIMS THAT THE COURT
14 CLERK TOLD HER THE DECISION HAD TO BE UNANIMOUS -- THE SAME
15 THING THE JUDGE TOLD EVERYONE ON THE JURY -- THE JURY WAS
16 TOLD, THEY AGREED AT THAT TIME, AND YET SHE WAS ALLOWED TO
17 LEAVE THAT COURTROOM.

18 I SAY TO YOU, LADIES AND GENTLEMEN, THIS IS
19 JUST UNBELIEVABLE THAT YOU CAN PURSUE A CASE FOR THREE YEARS,
20 AND A PERSON CAN LEAVE A COURTROOM, AND WALK TO FIFTEENTH AND
21 SPRUCE AND SAY, I CHANGED MY MIND; I JUST HELPED CONVICT AN
22 INNOCENT MAN, ON THE STRENGTH OF THAT, THIS POLICEMAN
23 RECEIVED A NEW TRIAL.

24 AT THAT TIME, ONCE AGAIN --

25 CHAIRMAN RHODES: WHEN WAS THIS NEW TRIAL

1 GRANTED?

2 MRS. ARMSTRONG: THIS HAPPENED IN '74; THE NEW
3 TRIAL HAPPENED, I WOULD SAY, IN '76. SO WE HAD TO GO THROUGH
4 THE PROCEDURES WITH THE WITNESSES, WITH THE DELAYS, THE I'M
5 NOT READY BY COUNSEL. THIS TIME THEY GOT FRED DIBONA AS
6 JUDGE.

7 CHAIRMAN RHODES: A LITTLE FACT THAT IS UNCLEAR
8 FOR THE RECORD. CORPORAL BORIA, WAS HE CHARGED BY
9 COMMONWEALTH COURT, IN CRIMINAL COURT HERE IN PHILADELPHIA
10 COUNTY? WHAT WAS HE CHARGED WITH?

11 MRS. ARMSTRONG: HE WAS CHARGED WITH SIMPLE
12 ASSAULT. ASSAULT AND BATTERY, SIMPLE ASSAULT. I WANT TO ADD
13 TO THAT, I HAVE BEEN ALSO INVESTIGATING THIS ON THE GROUNDS
14 THAT MARK'S HUMAN RIGHTS HAD BEEN DENIED HIM.

15 CHAIRMAN RHODES: BECAUSE THE DISTRICT ATTORNEY
16 CHARGED HIM WITH SIMPLE ASSAULT AND ASSAULT AND BATTERY?

17 MRS. ARMSTRONG: SOMETHING LIKE THAT. I KNOW
18 HE WAS FOUND GUILTY ON SIMPLE ASSAULT.

19 CHAIRMAN RHODES: WHAT WAS HE FOUND GUILTY ON?

20 MRS. ARMSTRONG: SIMPLE ASSAULT. THEN THAT
21 TRIAL WAS DECLARED A MISTRIAL OR A NEW TRIAL WAS GRANTED.
22 THAT TRIAL WAS ONE BY JURY, THAT HE RECEIVE A NEW TRIAL
23 BASED ON THE FACT THAT THEY DID NOT FIND THE POLICEMAN
24 GUILTY.

25 CHAIRMAN RHODES: YOU MAY PICK UP YOUR ACCOUNT.

1 MRS. ARMSTRONG: WE WENT BACK FOR THE THIRD
2 TIME AND AGAIN THEY PICKED AN ALL-WHITE JURY. JUDGE DIBONA,
3 SR. WAS THE JUDGE. THIS TIME IT WAS UNBELIEVABLE WHAT
4 HAPPENED; WE WERE NOT ALLOWED TO COMPLETE OUR TESTIMONY;
5 WITNESSES WERE ABRUPTLY TREATED, RUDELY TREATED.

6 CHAIRMAN RHODES: BY WHOM?

7 MRS. ARMSTRONG: BY THE JUDGE.

8 CHAIRMAN RHODES: WHO WAS THE JUDGE?

9 MRS. ARMSTRONG: DIBONA, SR. THEN IN THE
10 CHARGE TO THE JURY, JUDGE DIBONA SAID, REMEMBER WHO HAS THE
11 MOST TO GAIN HERE; REMEMBER THE ARMSTRONGS HAVE A FOUR
12 HUNDRED THOUSAND DOLLAR LAWSUIT AGAINST THE CITY OF
13 PHILADELPHIA.

14 SO I AM ASSUMING THE JURY NOT KNOWING THAT
15 WASN'T BEING DECIDED IN THAT COURTROOM, FELT THEY WERE
16 MAKING THAT DECISION AS WELL, WHILE THEY WERE ALSO DECIDING
17 THE GUILT OF THE POLICEMAN. SO THE JURY WENT OUT, CAME BACK
18 -- NOT GUILTY VERDICT.

19 I HAVE NO FURTHER TESTIMONY.

20 CHAIRMAN RHODES: WHAT IS THE STATUS OF YOUR
21 CIVIL CASE?

22 MRS. ARMSTRONG: IT SHOULD BE GETTING INTO
23 COURT SOON, PERHAPS BEFORE THIS MONTH IS OVER.

24 CHAIRMAN RHODES: ARE YOU REPRESENTED BY
25 COUNSEL?

1 MRS. ARMSTRONG: REPRESENTED BY PRIVATE
2 COUNSEL. DURING THE TRIAL WE WERE REPRESENTED BY A
3 REPRESENTATIVE OF THE DISTRICT ATTORNEY'S OFFICE, SINCE HE
4 HAD TAKEN THE CASE.

5 CHAIRMAN RHODES: I AM GOING TO ASK YOU ONE
6 QUESTION. AT FIRST IT WAS LIEUTENANT BORIA; THEN YOU SAID
7 CORPORAL BORIA.

8 MRS. ARMSTRONG: HE WAS A CORPORAL.

9 CHAIRMAN RHODES: HE IS NOT A LIEUTENANT?

10 MRS. ARMSTRONG: HE IS RETIRED.

11 CHAIRMAN RHODES: RETIRED FROM THE FORCE?

12 MRS. ARMSTRONG: YES, HE IS.

13 CHAIRMAN RHODES: ARE THERE QUESTIONS FROM THE
14 COMMITTEE TO MRS. ARMSTRONG? REPRESENTATIVE WIGGINS.

15 REPRESENTATIVE WIGGINS:

16 Q. MRS. ARMSTRONG, I AM NOT ALLOWED TO GO INTO
17 ANYTHING, BUT YOU MADE SOME SUGGESTIONS THAT I WOULD LIKE
18 DEFINED IN MY MIND. I AM NOT SAYING NECESSARILY I WANT TO
19 KNOW WHAT YOUR FEELINGS ARE, BUT YOU STATED THAT WHEN
20 OFFICER BORIA WAS BEING TRIED, IT WAS BY AN ALL-WHITE JURY,
21 AND AFTER SOME EXCEPTION WAS MADE, A BLACK JUROR WAS TAKEN
22 DUE TO THE ABSENCE OF ONE OF THE JURORS.

23 I THINK WHAT YOU JUST SAID TO US, OR WHAT
24 YOU HAVE ALLUDED TO, IS THAT THE MEKE FACT THERE WAS AN
25 ALL-WHITE JURY, THAT THEY WOULD TEND TO BE PREJUDICED AGAINST

1 ANYONE WHO IS BLACK. IS THAT WHAT YOU WERE TRYING TO IMPLY
2 TO THE PANEL, IS THAT YOUR FEELING?

3 A. I WOULD SAY, REPRESENTATIVE WIGGINS, THROUGH
4 THE SELECTION OF THE JURY I OBSERVED HOW THE CHALLENGES WERE
5 USED TO GET AN ALL-WHITE JURY, DELIBERATELY TO GET AN
6 ALL-WHITE JURY. I AM SAYING I THINK THE POWERS THAT BE
7 THOUGHT THAT WAS THE ONLY WAY TO SAVE THE POLICEMAN.

8 Q. SO I CAN CLARIFY MY POSITION, THE ONLY
9 REASON I RAISED THAT POINT, THEORETICALLY, AND I DO SAY
10 THEORETICALLY, AN INDIVIDUAL IS ENTITLED TO BE JUDGED BY HIS
11 PEERS, WITHOUT REGARD TO RACE, COLOR, CREED OR NATIONAL
12 ORIGIN, OR SEX. I WAS WONDERING IF YOU DO -- I WANT YOU TO
13 SAY IT BEFORE THIS PANEL -- THE FACT THAT AN ALL-WHITE JURY
14 WAS USED IN A BLACK-WHITE TYPE SITUATION, POSSIBLY THERE WAS
15 SOME OVERTONE THAT MIGHT OVERRIDE A DECISION. I AM ASKING,
16 WHAT IS YOUR PERSONAL OPINION, AS YOU STATED, AN ALL-WHITE
17 JURY, RELATIVE TO THE ISSUE INVOLVED IN YOUR SITUATION.

18 A. I WAS NOT OPTIMISTIC THAT WE WOULD GET A
19 GUILTY VERDICT. I FELT AS THOUGH AN ALL-WHITE JURY WOULD
20 HELP THE POLICEMAN, BUT I WAS VERY SURPRISED. THE EVIDENCE
21 WE HAD AGAINST THE POLICEMAN WAS VERY STRONG, AND EVEN THOUGH
22 THE POLICE DEPARTMENT LIED AND TRIED TO COVER UP WHAT
23 HAPPENED TO MY SON, THEY STILL DID NOT PERSUADE THE ALL-WHITE
24 JURY TO BELIEVE THIS TESTIMONY.

25 Q. THANK YOU.

1 A. THAT IS THE FIRST TIME -- NOT THE FIRST
2 TRIAL, THE FIRST JURY TRIAL, BECAUSE AS I STATED BEFORE THE
3 FIRST TIME IT WAS HEARD BY A JUDGE. THE SECOND TIME IT WAS
4 HEARD BEFORE A JURY; THE THIRD TIME IT WAS HEARD BEFORE A
5 JURY, ALSO.

6 REPRESENTATIVE WIGGINS: THANK YOU VERY MUCH.
7 I HAVE NO FURTHER QUESTIONS.

8 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS.

9 REPRESENTATIVE WILLIAMS:

10 Q. MRS. ARMSTRONG, THE GENTLEMAN WAS CONVICTED
11 ONCE BY JUDGE AND ONCE BY JURY, IS THAT CORRECT?

12 A. THAT'S CORRECT.

13 Q. JUST TO GET THE RECORD STRAIGHT ON THE JURY
14 THING, WHAT YOU SUGGEST IS, THE PROCEDURE THAT IS USED TO GET
15 A JURY, AND THE OPPOSITE SIDE OF THAT, YOU NEVER GET AN
16 ALL-BLACK JURY FOR SOME REASON. I DON'T UNDERSTAND THAT.
17 BUT YOUR RELIVING OF THE SITUATION--

18 A. I WANT TO TELL YOU SOMETHING, REPRESENTATIVE
19 WILLIAMS, THERE IS NOT A DAY GOES BY THAT THIS THING IS NOT
20 HEART-BREAKING. WHEN MY SON IS OUT OF THE HOUSE, THERE IS
21 ALWAYS THIS FEAR THAT IT IS GOING TO HAPPEN AGAIN. IT IS
22 SOMETHING I HAVE TRIED TO LIVE DOWN, TRIED TO BE OBJECTIVE
23 ABOUT IT. WHEN I THINK OF HOW THEY TRIED TO EMASCULATE HIM
24 AND HUMILIATE HIM AND DEGRADE HIM --

25

(PAUSE.)

1 REPRESENTATIVE WILLIAMS:

2 Q. LET'S START RIGHT THERE. I RECOLLECT WHEN
3 THAT HAPPENED ALMOST FROM THE BEGINNING, THE TRAUMA HE WENT
4 THROUGH. YOU WERE ONE OF THE FEW CITIZENS WHO WOULD KEEP AT
5 IT.

6 A. NOT ONLY IN DEFENSE OF MY SON. I HAVE BEEN
7 WORKING AGAINST POLICE BRUTALITY IN REGARD TO OTHER PEOPLE,
8 BECAUSE I KNOW IT HAS HAPPENED.

9 Q. I KNOW THAT. THE POINT I AM TRYING TO GET
10 TO, YOU STILL RELIVE THAT; IT TAKES A VERY DEEP AND HEAVY
11 TOLL, ON LIVES THAT DON'T DESERVE IT, BY ANY STRETCH OF THE
12 IMAGINATION, AND THE INCIDENTS YOU RELATED ARE SADISTIC,
13 INHUMAN, AND HERE YOU ARE TRYING TO FOLLOW THE LAW, AND YOU
14 ARE STILL FRUSTRATED IN GETTING SOME RELIEF.

15 THIS SADISTIC, INHUMAN ABUSE ON CHILDREN --
16 ON CHILDREN WHO ARE BOUND FOR COLLEGE, ON MOTHERS WHO ARE
17 TRYING TO BE PRODUCTIVE, AND YOU ARE SUPPOSED TO ACCEPT THAT.
18 THE REASON I AM MAKING THAT STATEMENT, MORE OR LESS, THE
19 THINGS I KNOW ABOUT THE SITUATION AND YOUR TESTIMONY, IS WHAT
20 IT DOES TO HUMAN LIVES, AND SOMETHING HAS TO HAPPEN THROUGH
21 POLITICAL ISSUES, WHITE PEOPLE AND BLACK PEOPLE, BECAUSE THAT
22 VIOLATES ALL OF OUR BASIC RULES, AND I DON'T KNOW WHETHER IF
23 IS LEGISLATION OR WHAT IT MIGHT BE, BUT IT SEEMS TO ME, WHAT
24 YOU ARE SAYING, ARE YOU NOT, IS THAT WE, AS A PEOPLE, AND US
25 AS LEADERS, IN SOME POLITICAL POSITION, HAVE TO FIGHT TO

1 CORRECT THAT INHUMANE KIND OF THING?

2 A. THAT IS EXACTLY THE WAY I FEEL.

3 Q. IT DEBASES ALL OF US FOR ANY OF US TO SIT
4 BEHIND WHATEVER COLOR, WHATEVER POSITION, AND ACT LIKE IT
5 DOESN'T HAPPEN. I GUESS I AM TRYING -- THAT IS PART OF WHAT
6 I WANTED TO SAY.

7 A. THAT IS EXACTLY IT. YOU ARE STATING EXACTLY
8 HOW I FEEL. I HAVE SAID IT MORE THAN ONCE; MY SON -- MAYBE
9 I'M WRONG -- MAYBE I'M WRONG IN WANTING TO SPARE HIM FROM
10 COMING HERE TODAY. BUT I THINK HE SUFFERED ENOUGH. I FEEL
11 HE LOST OUT ON HIS EDUCATION. NOW HE HAS BEEN ACCEPTED IN
12 HAHNEMAN MEDICAL SCHOOL, HE IS GOING TO BE A MEDICAL
13 TECHNOLOGIST. HE IS SUPPOSED TO START IN SEPTEMBER, AND I
14 KNOW THIS CASE IS GOING TO DISRUPT HIM, AND HE IS STRIVING SO
15 HARD TO DO SOMETHING POSITIVE WITH HIS LIFE, AND HE CAN'T DO
16 IT WITH THE SYSTEM --

17 (PAUSE.)

18 REPRESENTATIVE WILLIAMS:

19 Q. MRS. ARMSTRONG, THE ONE THING I HOPE WE CAN
20 DO, AND WHATEVER WE DO, THAT WE CAN TAKE BACK TO OUR
21 LEGISLATIVE BODY, THE IMPACT OF YOUR TESTIMONY AND OTHER
22 TESTIMONY, WHAT IT MEANS IN YOUR LIFE, AND THAT IS HARD TO DO
23 IN WORDS. I JUST HOPE WE CAN -- I THANK YOU FOR SHARING THIS
24 AGONY THAT YOU ARE STILL GOING THROUGH. HOPEFULLY THAT WOULD
25 PRESS US AND A LOT OF OUR NEIGHBORS NOT HERE TODAY, TO DO

1 SOMETHING TO TURN THAT PROBLEM AROUND.

2 A. I WAS AT A WORKSHOP ON CRIME AND SAFETY,
3 TALKING TO SOME YOUNG PEOPLE, VERY FRUSTRATED YOUNG PEOPLE.
4 THE FEELING THAT THE POLICE PROTECT PEOPLE IS SOMETHING THAT
5 IS DISAPPEARING FROM OUR COMMUNITY. I HEARD STORIES ABOUT
6 POLICEMEN RECYCLING DRUGS IN THE COMMUNITY, AND I WISH YOU
7 WOULD TAKE A LOOK INTO THIS PROGRAM, AND IN FACT, MR.
8 RICHARDSON HAS BEEN INVITED TO GO THERE. SOME OF THE DRUGS
9 TAKEN -- IT IS A NIGHTMARE FOR OUR KIDS AND THE PARENTS.
10 WHEN MY SONS WERE GROWING UP, I WORRIED ABOUT GANG FIGHTS.
11 MY SON WAS NEVER IN A GANG FIGHT, NEVER CUT OR ANYTHING.
12 THEN HE IS WALKING DOWN A STREET, A HALF BLOCK FROM HOME --
13 HE FELT AS THOUGH HE HAD SAFE PASSAGE HOME, WHEN HE SAW THE
14 POLICEMEN, NOT THINKING THEY WERE GOING TO BE THE ONES TO
15 DISRUPT HIS LIFE.

16 Q. WHY DO YOU THINK IT IS WE DON'T SEEM TO
17 UNDERSTAND AND RESPOND TO WHAT YOU DESCRIBE AS A NIGHTMARE?
18 WHAT IS IT THAT PREVENTS THE OFFICIALS AND THOSE WHO HOLD THE
19 POWER, AND THE REST OF US, WHAT MAKES US NOT UNDERSTAND THIS
20 NIGHTMARE?

21 A. THERE ARE TWO SIDES TO THAT. I THINK A LOT
22 OF PEOPLE DON'T CARE, AND A LOT OF PEOPLE FEEL THERE IS
23 NOTHING THEY CAN DO ABOUT IT. A LOT OF PEOPLE FEEL AS LONG
24 AS IT IS HAPPENING TO A MINORITY -- BUT NOW I'M HEARING FROM
25 ALL SECTIONS THAT THIS IS NOT A PROBLEM JUST ONLY IN BLACK

1 COMMUNITIES. I AM HEARING MORE AND MORE FROM OTHER PEOPLE,
2 YOU HEARD THE TESTIMONY OF A WOMAN YESTERDAY, SOMEONE KILLED
3 BY THE POLICE. WE HAVE TO STAND UP AND WE HAVE TO VOICE OUR
4 CONCERN. WE CAN NO LONGER SIT BY AND SAY IT'S OKAY, AS LONG
5 AS IT DOESN'T HAPPEN TO ME. I NEVER THOUGHT IT WOULD HAPPEN
6 TO MY SON. I THOUGHT IF YOU LIVE WITHIN THE FRAMEWORK OF THE
7 LAW, YOU NEVER HAVE ANY PROBLEMS.

8 CHAIRMAN RHODES: THANK YOU, MRS. ARMSTRONG.
9 REPRESENTATIVE WHITE.

10 REPRESENTATIVE WHITE:

11 Q. YOU ARE AN ACTIVIST COMMUNITY PERSON,
12 SOMEBODY THAT IS OUT THERE WORKING?

13 A. THAT'S RIGHT.

14 Q. I AM GOING TO STRAY A LITTLE BIT AWAY FROM
15 THE PERSONAL CIRCUMSTANCES YOU HAVE TESTIFIED TO BECAUSE I
16 THINK THAT BECAUSE OF YOUR BACKGROUND AND WORK EXPERIENCE,
17 THAT YOU MIGHT BE ABLE TO OFFER TO THIS COMMITTEE SOME
18 SUGGESTIONS AS TO THE KIND OF THINGS THAT OUGHT TO BE BROUGHT
19 ABOUT LEGISLATIVELY OR THROUGH SOME FORM OF RECOMMENDATION TO
20 HELP DEAL EFFECTIVELY WITH THE PROBLEM. FOR EXAMPLE, WE
21 RECEIVED TESTIMONY LAST NIGHT FROM AN INDIVIDUAL WHO
22 SUGGESTED THAT THE CITY OF PHILADELPHIA UNDERTAKE A PROGRAM
23 WHICH WOULD PLACE AN ADVOCATE IN THE LOCAL POLICE DISTRICTS
24 TO ASSIST COMPLAINANTS FILE COMPLAINTS, AND MORE OR LESS
25 SERVING AS A WATCH-DOG -- I HATE TO USE THAT TERM BECAUSE OF

1 THE TESTIMONY WE HAD HERE EARLIER -- OVER THE LOCAL POLICE
2 DISTRICTS. HOW DO YOU FEEL ABOUT THAT?

3 A. I VOTE AT THE POLLS TO THAT EFFECT. AFTER
4 THAT HAD HAPPENED TO MY SON, THERE WERE A GROUP OF US WHO
5 WERE REALLY GOING TO WORK AROUND TO GET THAT WRITTEN INTO
6 LAW, BUT WE BEGAN TO REALIZE THERE IS SOMEBODY IN POWER THAT
7 IS NOT GOING TO PERMIT THAT TO HAPPEN. OUR DISTRICT ATTORNEY
8 HAS A POLICE ABUSE UNIT; WE HAVE MET WITH MR. PARRY, AND I
9 THINK HE IS SINCERE IN WHAT HE WANTS TO DO, BUT THE DISTRICT
10 ATTORNEY'S OFFICE DOES NOT HAVE SUBPOENA POWER THAT IT NEEDS
11 TO HAVE. I THINK THAT IS SOMETHING WE ARE GOING TO HAVE TO
12 CHANGE.

13 THE POLICE DEPARTMENT HAS NO MANDATE TO
14 REPORT ANY HOMICIDE TO THE DISTRICT ATTORNEY'S OFFICE. THE
15 ONLY WAY OUR CASE OF POLICE ABUSE CAME TO THE DISTRICT
16 ATTORNEY IS BECAUSE WE BROUGHT IT TO THE DISTRICT ATTORNEY.
17 NORMALLY, IF YOU GO TO THE POLICE DEPARTMENT WITH A POLICE
18 ABUSE COMPLAINT, THE DISTRICT ATTORNEY'S OFFICE WILL NEVER
19 KNOW ABOUT IT, BECAUSE SOMEHOW WE ARE GOING TO HAVE TO MAKE
20 IT SO THE DISTRICT ATTORNEY'S OFFICE CAN SUPERSEDE THE POLICE
21 DEPARTMENT IN ALL MATTERS PERTAINING TO THE ABUSE OF
22 CITIZENS, AS WELL AS ANYTHING PEOPLE FEEL SHOULD COME TO THE
23 ATTENTION OF THE DISTRICT ATTORNEY.

24 CHAIRMAN RHODES: THAT IS VERY HELPFUL
25 TESTIMONY.

1 REPRESENTATIVE WHITE:

2 Q. THE POWERS OF THE DISTRICT ATTORNEY WITH
3 RESPECT TO SUBPOENA POWER, GETTING INFORMATION, I THINK THAT
4 YOUR STATEMENT KIND OF REALLY LEADS IN THAT DIRECTION, BUT
5 YOU SAID SOMETHING ELSE, THAT IS EVEN MORE OF A PROBLEM THAN
6 WHAT WE DO AS A LEGISLATIVE BODY. I AM GOING TO MAKE A
7 STATEMENT RATHER THAN MAKE IT A QUESTION; PERHAPS YOU WANT TO
8 REACT TO IT. NAMELY, EVERY WITNESS THAT HAS COME BEFORE THIS
9 BODY HAS INDICATED THAT THERE IS A PROBLEM AT THE TOP; IT
10 STARTS WITH THE MAYOR OF THIS TOWN, MAYOR RIZZO. EVERYONE
11 HAS POINTED TO THE FACT OF THE FRUSTRATION THEY FEEL AS
12 INDIVIDUALS OR COMMUNITY ORGANIZATIONS IN GETTING SOME TYPE
13 OF POSITIVE RESPONSE FROM THE CITY ADMINISTRATION IN
14 RELATIONSHIP TO THEIR PARTICULAR PROBLEM.

15 WE CANNOT LEGISLATE MAYOR RIZZO OUT OF
16 OFFICE. WHAT HAS TO HAPPEN IS THAT THOSE FOLKS WHO ARE
17 SERIOUS ABOUT IT, HAVE TO TAKE IT UPON THEMSELVES TO EXERCISE
18 THEIR RIGHTS WITH RESPECT TO VOTING. I AM NOT SO SURE THAT
19 EVEN IF WE DO OFFER LEGISLATION, WE ARE GOING TO BE ABLE TO
20 DEAL WITH THE ATTITUDE PROBLEM. CERTAINLY BY CONSIDERING THE
21 SUGGESTIONS THAT YOU HAVE MADE, IF YOU HAVE THAT PROBLEM
22 STILL, IF YOU WOULD MAKE THIS AVAILABLE TO THE COMMITTEE, THE
23 MEMBERS OF THIS COMMITTEE COULD HAVE THE OPPORTUNITY TO
24 PERUSE IT.

25 CHAIRMAN RHODES: THAT WAS OUT OF ORDER,

1 REPRESENTATIVE WHITE. ANY QUESTIONS? REPRESENTATIVE DUMAS.

2 REPRESENTATIVE DUMAS: MRS. ARMSTRONG, I DON'T
3 MEAN TO TAKE YOU THROUGH THE AGONY OF YOUR PERSONAL
4 EXPERIENCES; CERTAINLY I EMPATHIZE WITH YOUR EXPERIENCES. I
5 CAN ONLY SAY THAT I HOPE SOME GOOD LEGISLATION CAN COME OUT
6 OF YOUR TESTIMONY THAT WILL PROFIT OTHERS FROM HAVING TO BEAR
7 SUCH SUFFERING AND HARDSHIP.

8 CHAIRMAN RHODES: THANK YOU. REPRESENTATIVE
9 RICHARDSON.

10 REPRESENTATIVE RICHARDSON:

11 Q. MRS. ARMSTRONG, I WANT TO THANK YOU FOR YOUR
12 TESTIMONY BEFORE THIS COMMITTEE. WHAT I WOULD LIKE TO DO IS,
13 AND KNOWING HOW HARD IT IS AND REMEMBERING THE PAIN AND
14 SUFFERING, COULD YOU AS ALREADY YOU HAVE DESCRIBED FROM
15 QUESTIONS ASKED REPRESENTATIVE WILLIAMS, COULD YOU ELABORATE
16 FOR US, THE KINDS OF FEELINGS OF ABUSE, MENTAL ANGUISH THAT
17 YOU AND YOUR FAMILY ARE SUFFERING AS A RESULT OF WHAT HAS
18 HAPPENED? I AM SAYING THIS IS BECAUSE IT SEEMS THERE IS SOME
19 PROBLEM WITH THE RECORD BEING TAINTED, AND IF WE DON'T ASK
20 PERTINENT QUESTIONS TO REFLECT THAT SPECIFICALLY, IT WILL NOT
21 SHOW ON THE RECORD. I WANT YOU TO GO OVER THIS, REMEMBERING
22 THE PAIN AND SHARE THAT WITH THIS COMMITTEE, PLEASE.

23 A. I JUST WANT TO SAY FROM THE MOMENT THAT I
24 REALIZED THAT MY SON HADN'T COME HOME, AND THE TRAUMA OF NOT
25 KNOWING WHERE HE WAS, NO ONE FELT AN OBLIGATION TO CALL ME,

1 SAYING, MRS. ARMSTRONG, WE HAVE YOUR SON DOWN HERE AT THE
2 19TH DISTRICT, UNFIL THE JUVENILE AID OFFICER CAME ON DUTY
3 AND CALLED ME.

4 MEANWHILE, I WAS ALMOST OUT OF MY MIND THEN,
5 BECAUSE I KNEW MY SON HAD HAD A SICKLE CELL ATTACK, AND I
6 WONDERED IF HE WAS LYING SOMEWHERE, SICK IN THE HOSPITAL, AND
7 I DIDN'T WANT TO CALL HIS GIRLFRIEND'S HOUSE, BECAUSE I HAVE
8 ALWAYS BEEN ACCUSED OF BEING AN OVER-PROTECTIVE MOTHER. I
9 WAS SORT OF TRYING TO WAIT IT OUT.

10 WHEN I GOT THE CALL, I HEARD THE CONCERN IN
11 THE JUVENILE AID OFFICER'S VOICE, OFFICER DENNIS. I SHOULD
12 NEVER FORGET HIM. WHEN I WENT TO THE STATION AND SAW HOW MY
13 SON WAS ALL BEATEN UP, AND HOW FRUSTRATED HE LOOKED, HOW
14 HOPELESS HE THOUGHT THE SITUATION WAS, HE TOLD ME THERE WAS
15 NOTHING I COULD DO ABOUT IT. THEN WHEN WE GOT HOME HE TOLD
16 ME HOW THE POLICEMEN MADE HIM GET NAKED, AND LOOKED AT HIS
17 RECTUM, AND HOW THEY LAUGHED AT HIM AND MADE FUN OF HIM. AND
18 AFTER HIS FACE STARTED TO SWELL, THEY SAID, NOW WE'RE GOING
19 TO CALL YOU STONE FACE, OR SOME KIND OF REMARK LIKE THAT. IT
20 WAS HARD, I MUST SAY.

21 EVEN THOUGH IT WAS FOUR YEARS AGO, IT IS
22 SOMETHING I CAN'T -- AND I'VE TRIED TO GET IT OUT OF MY
23 MIND, I HAVE TRIED TO FORGET ABOUT IT. I SAID, MAYBE IT
24 WILL NEVER HAPPEN AGAIN, BUT AFTER THAT HAPPENED TO HIM, I
25 TOOK A COURSE IN STREET LAW, AND THE FIRST THING OUR

1 PROFESSOR SAID TO US WAS REMEMBER, THAT ANY ENCOUNTER WITH A
2 POLICEMAN SHOULD BE CONSIDERED A POTENTIAL DANGER. AND THAT
3 IS SAD. THAT IS REALLY SOMETHING TO THINK ABOUT BECAUSE IT
4 IS TRUE; MORE PEOPLE EVERY DAY, I THINK MORE PEOPLE ARE
5 GETTING BEAT UP FOR GOING THROUGH A STOP SIGN, WHILE
6 CRIMINALS ARE WALKING AROUND, SELLING DRUGS IN OUR
7 COMMUNITIES, AND PEOPLE COMMITTING SERIOUS CRIMES ON THE
8 STREET.

9 IT SEEMS THAT TOO MANY CASES LIKE THIS --
10 THERE WAS A MAN ACCORDING TO THE PAPERS, AND THE WITNESSES,
11 BEATEN ALMOST OUT OF HIS MIND BECAUSE HE DIDN'T STOP WHEN HE
12 WAS TOLD TO. IT IS HARD FOR ME TO SAY THAT I WILL EVER
13 FORGET. EVEN NOW, IT HANGS OVER US. WE HAVE TO GO INTO
14 COURT, AND I SUSPECT THAT SINCE MY SON STARTS AT HAHNEMAN,
15 THAT HIS EDUCATION WILL BE INTERRUPTED AGAIN. I KNOW WE WILL
16 HAVE TO GO THROUGH THE SAME PROCEDURES ALL OVER AGAIN.

17 Q. YOU ARE SAYING THAT THE MENTAL, SPIRITUAL
18 AND PHYSICAL ANGUISH WAS TREMENDOUS ON YOU AND YOUR FAMILY?

19 A. IT HAD A VERY BAD PSYCHOLOGICAL EFFECT ON MY
20 SON. I AM GLAD TO SEE HIM REGROUPING AND TRYING TO -- YOU
21 KNOW -- PIN HIMSELF BACK TO WHERE HE WAS BEFORE.

22 Q. AT THE POLICE STATION, YOU TRIED VERY HARD
23 TO GO UP TO THE POLICE WINDOW AND ASK THE OFFICER, TELL THE
24 OFFICER YOU WANTED TO MAKE A COMPLAINT. WOULD YOU ELABORATE
25 ON THAT FOR THE RECORD? COULD YOU GO THROUGH STEP-BY-STEP THE

1 PROCEDURE AS EXACTLY WHAT YOU ASKED THE POLICE OFFICER, IF
2 YOU REMEMBER THE NAME OF THE OFFICER AT THE DESK, AND WHAT HE
3 SAID TO YOU AS A RESULT OF YOUR SAYING YOU WANTED TO FILE A
4 COMPLAINT?

5 A. I DON'T REMEMBER THE OFFICER'S NAME. I WAS
6 TOO UPSET TO OBSERVE THAT MAN. HOWEVER, I ONLY SAID ONE
7 SENTENCE TO HIM -- LIKE, I PLAN ON TAKING ACTION. HE DID
8 NOT ACKNOWLEDGE MY PRESENCE THERE. HOWEVER, WHEN THEY GOT TO
9 COURT, THEY SAID I CURSED, RANTED AND RAVED. I COULDN'T
10 BELIEVE THE THINGS I WAS HEARING. I DON'T CURSE LIKE THAT.

11 REPRESENTATIVE WILLIAMS: THEY LIED?

12 MRS. ARMSTRONG: THEY LIED; THEY SAID, MRS.
13 ARMSTRONG CAME TO THE WINDOW AND WE TOOK A REPORT FROM HER.
14 THEY HAVE YET TO PRODUCE THAT REPORT, AND SAID THAT I CURSED
15 AND RANTED AND CARRIED ON WHILE THEY TRIED TO TAKE A REPORT
16 FROM ME. HOW THEY LIED. I WAS NUMB TILL I WAS CALM. I JUST
17 COULDN'T BELIEVE THAT THEY HAD ACTUALLY BEATEN MY SON UP THE
18 WAY THEY DID IN THAT POLICE STATION.

19 REPRESENTATIVE RICHARDSON: JUST ON THIS POINT,
20 WERE THERE ANY OTHERS AROUND IN THE ROOM AT THE TIME YOU WENT
21 TO THE WINDOW?

22 MRS. ARMSTRONG: THERE WAS LIKE AN OFFICER THERE,
23 IN THE BACKGROUND, BUT NOT REALLY UP TO THE WINDOW. WHEN I
24 WALKED UP TO THE WINDOW, THERE WAS ONLY ONE OFFICER STANDING
25 THERE.

1 REPRESENTATIVE RICHARDSON:

2 Q. CERTAINLY, IF YOU WERE RANING AND RAVING,
3 OTHER OFFICERS WOULD HAVE BEEN IN THE POLICE STATION, AND
4 THEY WOULD HAVE ARRESTED YOU RIGHT THERE.

5 A. YES. AND FIRST OF ALL, THAT IS NOT MY
6 MAKE-UP. AND WHAT GOOD WOULD IT DO DOWN THERE.

7 Q. WE KNOW YOU ARE NOT THAT TYPE OF PERSON.
8 WAS THE JUVENILE AID OFFICER AROUND AT THE TIME YOU WENT TO
9 MAKE THE COMPLAINT?

10 A. HE WAS THERE WHEN I GOT THERE. HE WALKED
11 OUT OF THIS ROOM WHERE MARK WAS SITTING. HE WALKED UP TO ME,
12 AND HE SAID, ARE YOU MRS. ARMSTRONG, AND I SAID YES, AND HE
13 SAID, COME WITH ME. WE WENT BACK TO THE LITTLE DARK ROOM
14 WHERE MARK WAS SITTING IN THE CORNER. THIS IS WHERE I SPOKE
15 WITH HIM, AND I SAID TO HIM, 'OH MY GOD, WHAT HAVE THEY DONE
16 TO YOU, WHAT HAVE THEY DONE TO MY SON.'

17 Q. NOW, YOU INDICATED THAT THE JUVENILE AID
18 OFFICER IS ALSO A POLICE OFFICER IN THE CITY OF PHILADELPHIA,
19 RIGHT?

20 A. THEY ARE PLAINCLOTHESMEN.

21 Q. AND THE UNIFORMED POLICE OFFICERS OF THAT
22 DISTRICT; NOW, THE QUESTION IS, COULD YOU SHARE WITH US WHAT
23 THE RECOMMENDATION WAS TO THE ARRESTING OFFICER, WHO IS A
24 UNIFORMED OFFICER, AND THE JUVENILE AID DIVISION OFFICER, WHO
25 ACTUALLY MAKES THE ARREST AND PUTS IT ON PAPER, IF IN FACT,

1 THEY FIND A CHILD IS SUPPOSED TO BE GUILTY, AND WHETHER OR
2 NOT THAT ARREST SHOULD STAND?

3 A. DENNIS DENIGHT, THE JUVENILE AID OFFICER, HE
4 WAS VERY POLITE AND VERY CONCERNED. HE SOUNDED CONCERNED
5 OVER THE PHONE, WHEN HE CALLED ME. HE EXPRESSED THAT SAME
6 CONCERN AFTERWARDS. AS A MATTER OF FACT, THERE WAS QUITE A
7 CONTRAST BETWEEN THE POLICEMEN WHO HAVE INVESTIGATED FROM THE
8 INTERNAL DIVISION OF THE POLICE DEPARTMENT, AND THOSE
9 APPEARING ON BEHALF OF THE POLICEMAN IN THE COURTROOM.

10 WHEN I ARRIVED AT THE STATION, I SAW ONE OR
11 TWO POLICEMEN. WHEN THE CASE WENT TO COURT, THERE WERE A LOT
12 OF POLICEMEN WHO SAID -- ONE OF THEM SAID, HE SAW MARK WHEN
13 HE WAS RUNNING THROUGH THE STATION, AND THERE WERE NO BRUISES
14 ON HIM. LATER HE HEARD MARK SAY HE HAD SICKLE CELL ANEMIA.

15 Q. THAT WAS AN OFFICER INSIDE THE STATION?

16 A. THERE WAS A BLACK OFFICER SITTING INSIDE THE
17 STATION.

18 Q. WAS HE ASKED TO TESTIFY AT THE HEARING?

19 A. YES, HE WAS.

20 Q. DO YOU KNOW OF ANY REACTION TO TESTIMONY
21 THAT WAS GIVEN, FROM THAT TESTIMONY OF OTHER POLICE OFFICERS
22 THERE?

23 A. I WASN'T ALLOWED TO SIT IN THE COURTROOM TO
24 LISTEN TO THE TESTIMONY.

25 Q. YOU WERE SEQUESTERED?

1 A. AS EACH OF US TESTIFIED, WE HAD TO GO
2 OUTSIDE AND WERE TOLD NOT TO TALK TO EACH OTHER AND SIT WITH
3 EACH OTHER. EACH OF THE POLICE OFFICERS WERE ALLOWED TO COME
4 OUT, AND COMPARE NOTES BEFORE THEY WENT INTO THE COURTROOM.

5 Q. YOU WERE SEQUESTERED; THE OFFICERS WERE NOT?

6 A. THAT'S RIGHT.

7 Q. THE OTHER THING IS THAT IN FOLLOWING UP THE
8 COMPLAINT WAS THERE EVER A FORMAL POLICE COMPLAINT FILED BY YOU?

9 A. YES.

10 Q. TO THE POLICE DEPARTMENT?

11 A. NO. LET ME GO BACK TO WHAT HAPPENED

12 INBETWEEN THAT TIME, THAT I GOT MY SON HOME, AND THE TIME
13 THAT I WENT TO THE DISTRICT ATTORNEY THAT MORNING. THE
14 CAPTAIN CALLED ME UP, WHEN HE CAME ON DUTY. HE SAID, MRS.
15 ARMSTRONG, THIS IS CAPTAIN SMALL -- HE IS NO LONGER AT THE
16 19TH DISTRICT. HE SAID, I HEARD WHAT HAPPENED TO YOUR SON,
17 AND I HEARD HE IS A FINE BOY. I WANT YOU TO BRING MARK DOWN
18 HERE. WE WILL GET THE WHOLE THING STRAIGHTENED OUT HERE. IF
19 THERE IS ANYTHING I HATE, IT IS POLICE BRUTALITY.

20 HE TOLD ME TO BRING MARK IN. I TOLD HIM I
21 COULD NOT BRING HIM IN WITHOUT CONSENT OF MY ATTORNEY. HE
22 WANTED TO GIVE MARK A LIE DETECTOR TEST. I TOLD HIM I THINK
23 WE SHOULD GIVE THE POLICEMAN A LIE DETECTOR TEST. HE SAID, I
24 KNOW HE WAS BEATEN IN THE STATION, AND NO ONE WOULD ADMIT TO
25 DOING IT. THAT WAS SUPPOSED TO BE HEARSAY ON MY PART.

1 Q. YOU GOT IT FIRST HAND?

2 A. I GOT IT FIRST HAND. THEY WOULD NOT LET ME
3 USE IT IN MY TESTIMONY BECAUSE THEY SAID IT WAS HEARSAY. NOT
4 ONLY DID I HEAR IT, SOMEONE ELSE PICKED UP MY PHONE UPSTAIRS,
5 AND ALSO HEARD IT, TOO.

6 Q. MRS. ARMSTRONG, WHAT I AM TRYING TO DO IS
7 DEAL WITH OUR SERIOUS PROBLEM IN THE CITY OF PHILADELPHIA,
8 AND GET IT ON THE RECORD, THE THINGS THAT WON'T TAINI THE
9 TESTIMONY, SO WE WILL HAVE TO HAVE A CLEAR UNDERSTANDING OF
10 HOW THE OPERATION IS IN THE CITY. COULD YOU SHARE WITH US
11 THE NAMES OF OTHER INDIVIDUALS WHO YOU FEEL SHOULD TESTIFY
12 BEFORE THIS COMMITTEE? BECAUSE ONE OF THE THINGS YOU
13 TESTIFIED TO IS THAT JUDGE DIBONA -- WOULD THAT BE THE SAME
14 JUDGE THAT IS HANDLING THIS MOVE SITUATION IN THE CITY?

15 A. IN THE MOVE SITUATION IN THE CITY, YES. THE
16 OTHER BOY WHO WAS BEATEN WOULD NOT TESTIFY BECAUSE HE WAS
17 ACTUALLY ONE OF THE BOYS THEY WERE LOOKING FOR, AND THEY GAVE
18 HIM THREE MONTHS PROBATION.

19 Q. LET ME ASK THIS, THE POLITICS OF OPPRESSION
20 IN PHILADELPHIA, RELATING TO THE VERY SERIOUS SITUATION
21 RELATIVE TO THE POLICE DEPARTMENT IN THE CITY OF
22 PHILADELPHIA; YOU MADE ONE RECOMMENDATION ABOUT GIVING SOME
23 POWERS TO THE DISTRICT ATTORNEY'S OFFICE, PERHAPS TO
24 INTERCEDE WITH THE POLICE ABUSE UNIT. COULD YOU MAKE OTHER
25 RECOMMENDATIONS TO US AS A COMMITTEE TO TRY AND WARD OFF THE

1 VERY SERIOUS PROBLEMS THAT EXIST IN THIS CITY RELATIVE TO THE
2 POLICE VIOLENCE QUESTION?

3 A. YES, RIGHT NOW, WE HAVE A POLICE
4 ACCOUNTABILITY BILL OR NEW POLICE REPORTING BILL, 1063, THAT
5 WE HAVE BEEN TRYING FOR SEVERAL MONTHS, SINCE DECEMBER, TO
6 GET COUNCILMAN TAYOUN TO GET HEARINGS ON IT. THE DISTRICT
7 ATTORNEY HAS MADE A VERY IMPORTANT RECOMMENDATION TO BECOME
8 PART OF THAT BILL, AND I THINK THE PASSAGE OF THAT BILL WILL
9 CERTAINLY HAVE AN IMPACT ON POLICE ABUSE.

10 REPRESENTATIVE WHITE: MRS. ARMSTRONG, ARE YOU
11 AWARE OF THE FACT THAT COUNCILMAN TAYOUN, THE REASON HE HAS
12 NOT HELD PUBLIC HEARINGS IS BECAUSE THE PUBLIC DOES NOT
13 CONSIDER POLICE ABUSE A SERIOUS PROBLEM IN THE CITY OF
14 PHILADELPHIA?

15 MRS. ARMSTRONG: WE HAD THE HEARING DOWN IN
16 SOCIETY HILL. THERE WAS STANDING ROOM ONLY. HE WAS THERE
17 AND HE KNOWS THE PEOPLE OF THIS TOWN ARE CONCERNED ABOUT
18 POLICE ABUSE.

19 REPRESENTATIVE RICHARDSON: ON HOUSE BILL 1063,
20 DOES THAT GIVE POWER TO THE COMMITTEE, OF ACCOUNTABILITY TO
21 A COMMISSION OR POLICE REVIEW BOARD, TO ACTUALLY DO ANYTHING
22 SPECIFIC?

23 A. NO, I THINK BASICALLY WHAT I HAVE READ AS
24 FAR AS THE BILL IS CONCERNED, IT NEEDS A LOT OF THE
25 DISCRETION OF THE POLICE INTERNAL AFFAIRS DEPARTMENT, WHO SO

1 FAR HANDLE IT, BUT IT DOES GIVE THE CITIZENS A CONCRETE WAY
2 OF REPORTING POLICE ABUSE. HOWEVER, AGAIN, I WOULD LIKE TO
3 SEE THAT POWER SUPERSEDED BY THE DISTRICT ATTORNEY'S OFFICE.
4 IN OTHER WORDS, IF A PERSON HAS AN INCIDENT OF POLICE ABUSE,
5 I THINK THEY SHOULD HAVE THE OPTION OF TAKING IT TO THE
6 POLICE DEPARTMENT OR THE DISTRICT ATTORNEY'S OFFICE.
7 CERTAINLY I WOULD RECOMMEND THE DISTRICT ATTORNEY'S OFFICE.
8 AND I THINK THE DISTRICT ATTORNEY'S OFFICE SHOULD HAVE THE
9 POWER TO INVESTIGATE ANY CASE OF POLICE ABUSE, AND THOSE
10 RECORDS, WHETHER GIVEN TO HIM OR THE POLICE DEPARTMENT,
11 SHOULD BE MADE AVAILABLE.

12 CHAIRMAN RHODES: I THINK YOU WOULD BE PLEASED
13 TO KNOW THERE IS LEGISLATION THAT THIS COMMITTEE ADVISED, IN
14 THE HOUSE TO GIVE THOSE POWERS TO THE DISTRICT ATTORNEY,
15 WHICH WILL BE COMING UP BEFORE THE GENERAL ASSEMBLY NEXT
16 MONTH. REPRESENTATIVE DUMAS, DO YOU HAVE A QUESTION?

17 REPRESENTATIVE DUMAS:

18 Q. I JUST WANT TO ASK YOU ONE QUESTION, MRS.
19 ARMSTRONG. YOU MENTIONED THAT OFFICER DENIGHT WAS IN
20 SYMPATHY WITH YOU WHEN YOU ARRIVED AT THE POLICE STATION.
21 COULD YOU TELL ME WHETHER THIS OFFICER WAS BLACK OR WHITE?

22 A. OFFICER DENIGHT WAS BLACK, AND HE IS
23 RETIRED, AND HE WAS AT THAT TIME WHEN HE MADE HIS TESTIMONY,
24 RETIRED FROM THE POLICE FORCE.

25 CHAIRMAN RHODES: THANK YOU VERY MUCH, AND WE

1 APPRECIATE YOUR COMING FORWARD, BEFORE THIS COMMITTEE AND
2 GOING THROUGH THIS REALLY VERY DIFFICULT RECOUNTING TO THIS
3 COMMITTEE, AND WE SINCERELY HOPE YOUR SON, WHO HAS SUFFERED
4 SO MUCH, HAS A SUCCESSFUL LIFE.

5 MRS. ARMSTRONG: I WANT TO THANK YOU ALL; HARDY
6 WILLIAMS, DAVE RICHARDSON, AND ALL THE OTHER PEOPLE WHO
7 SUPPORTED ME DOWN THERE, THROUGH THIS FOUR YEARS. THE
8 ADVOCATE

9 (BRIEF RECESS.)

10 CHAIRMAN RHODES: RECESS IS DECLARED OVER.
11 THERE WILL BE ORDER BACK IN THE HEARING ROOM. I INVITE THE
12 MEMBERS OF THE COMMITTEE TO COME BACK TO THE HEARING ROOM.

13 (PAUSE.)

14 THE COMMITTEE IS BACK IN ORDER, AND I AGAIN
15 INVITE THE MEMBERS OF THE COMMITTEE TO COME BACK TO THE
16 HEARING ROOM.

17 OUR NEXT WITNESS IS REVEREND KIRKLAND,
18 REVEREND JOSEPH KIRKLAND.

19 REVEREND KIRKLAND, WILL YOU STATE FOR THE
20 RECORD YOUR NAME AND YOUR ADDRESS.

21 REVREND KIRKLAND: REVEREND JOSEPH P. KIRKLAND,
22 1903 FEDERAL STREET.

23 CHAIRMAN RHODES: I WOULD LIKE TO HAVE ORDER IN
24 OUR HEARING ROOM.

25 BEFORE WE PROCEED WITH REVEREND KIRKLAND, I

1 WOULD LIKE TO INTRODUCE INTO THE RECORD, A LETTER SUBMITTED
2 TO THE SUBCOMMITTEE BY REVEREND PAUL M. WASHINGTON OF THE
3 CHURCH OF THE ADVOCATE HERE IN THE CITY OF PHILADELPHIA,
4 WHICH I WILL SUBMIT TO OUR REPORTERS.

5 (LETTER DATED JULY 27, 1978 FROM
6 REVEREND PAUL M. WASHINGTON ADDRESSED TO REPRESENTATIVE
7 JOSEPH RHODES, JR., CHAIRMAN HOUSE JUDICIARY SUBCOMMITTEE ON
8 CRIME AND CORRECTIONS READS AS FOLLOWS:

9 *DEAR MR. RHODES: I AM THE REVEREND PAUL M.
10 WASHINGTON, RECTOR OF THE CHURCH OF THE ADVOCATE, WHICH IS
11 LOCATED AT 18TH AND DIAMOND STREETS, PHILADELPHIA,
12 PENNSYLVANIA. I HAVE BEEN THE MINISTER OF THE CHURCH FOR THE
13 LAST 16 YEARS. I WAS ORDAINED IN 1947.

14 *MY CHURCH IS MULTI-SERVICE AND ASSISTS THE
15 NEARLY BLACK COMMUNITY, IN WHICH I MYSELF LIVE, IN THE
16 FOLLOWING AREAS: HOUSING, HUNGER, EDUCATION AND RECREATION.
17 OUR ACTIVITIES ARE DIRECTED TOWARD IMPROVING THE
18 LIFE-CONDITION OF THE PEOPLE WHO LIVE IN PHILADELPHIA'S INNER
19 CITY. IN CONJUNCTION WITH THESE ACTIVITIES AND AS AN
20 EXTENSION OF THEM, I HAVE BEEN A MEMBER OF THE CITY OF PHILA.
21 COMMISSION ON HUMAN RELATIONS, PRESENILY A MEMBER OF THE
22 PHILA. COMMISSION FOR EFFECTIVE CRIMINAL JUSTICE AND A MEMBER
23 OF THE COMMITTEE TO DISTRIBUTE THE FUNDS APPROPRIATED THROUGH
24 THE JACKSON VS. HENDRICKS CIVIL ACTION.

25 *IN THE COURSE OF MY DAILY EXPERIENCES WITH

1 BOTH THE YOUNGER AND OLDER MEMBERS OF MY COMMUNITY, I HAVE
2 HAD OCCASION TO OBSERVE THE RELATIONSHIP THAT EXISTS BETWEEN
3 THE POLICE DEPARTMENT AND THE COMMUNITY. WHILE THERE IS NO
4 DOUBT THAT THE POLICE PERFORM MANY BENEFICIAL SERVICES, IT
5 HAS BEEN MY OBSERVATION THAT THEY ARE ALSO GUILTY OF GROSS
6 HARASSMENT AND INDISCRIMINATE ABUSE OF POWER.

7 *WHAT IS COMMON AS ONE GROWS UP IN THE
8 GHETTO IS AN ASSUMPTION THAT, IF YOU ARE BLACK, AT SOME TIME
9 OR OTHER YOU WILL BE QUESTIONED OR FRISKED FOR SOME NEVER
10 DESCRIBED CRIME WITHOUT ANY REASON GIVEN. THIS BECOMES A WAY
11 OF LIFE AND BLACK PEOPLE THUS LOOK UPON THE POLICE AS
12 OPPRESSORS MORE THAN AS BENEFACTORS. I MYSELF HAVE ON
13 OCCASION SEEN THE POLICE SPREAD-EAGLE BLACK YOUTHS AGAINST
14 BUILDINGS WITHOUT ANY CAUSE OTHER THAN THEIR ALLEGED
15 SUSPICIOUS LOOKS. INVARIABLY, IF THESE YOUTHS ASK WHAT THE
16 FRISKING AND QUESTIONING ARE ABOUT THEY ARE TOLD TO, 'SHUT
17 UP'. HARDLY, EVER HAVE I OBSERVED THE POLICE IN THESE
18 CIRCUMSTANCES WARN BLACK PEOPLE OF ANY CONSTITUTIONAL RIGHTS.
19 THE COURTS RULES DO NOT EXTEND INTO THE GHETTO AS THEY DO
20 ELSEWHERE.

21 *IN FACT, THE CONSTANT POLICE HARASSMENT
22 THAT BLACK PEOPLE GROW UP WITH LEADS THEM TO BELIEVE, IN MY
23 OPINION, THAT THE MASTER-SLAVE RELATIONSHIP STILL EXISTS.
24 BLACKS ARE MADE TO FEEL THAT THEY SHOULD REMAIN IN *THEIR
25 PLACE*. IF THEY DON'T THEN THE POLICE, AGENTS OF THE

1 MASTERS, WILL RESPOND WITH VENGEANCE. POLICE DRAGNETS ARE
2 THUS COMMON AND ARE USED AS A TACTIC OF REPRESSION ALONG WITH
3 INDISCRIMINATE FRISKING AND QUESTIONING. HARDLY EVER IN
4 THESE ACTIVITIES DO THE POLICE INFORM THE PEOPLE OF THEIR
5 CONSTITUTIONAL RIGHTS.

6 *A LARGE SEGMENT OF THE COMMUNITY NOW FEELS
7 THAT THE POLICE ARE MORE ANTAGONISTIC THAN EVER BEFORE. SOME
8 FEEL SO FED UP THAT THEY ARE READY TO REACT TO THE POLICE IN
9 KIND. OTHERS FEEL THAT THE BEST WAY TO EXIST IS TO AVOID ANY
10 POLICE CONTACT WHATEVER. REGARDLESS OF AGE, EXPERIENCE OR
11 MOTIVE, IT IS MY OPINION THAT THE COMMUNITY AS A WHOLE, IS
12 REACHING IT'S END ABOUT CURRENT POLICE ACTIVITIES IN GENERAL,
13 AND THE NUMBER OF HOMICIDES BY POLICEMEN IN PARTICULAR.

14 *IN THE PAST 3 YEARS, THE CHURCH OF THE
15 ADVOCATE HAS BEEN THE MEETING PLACE OF HUNDREDS ABUSED
16 PERSONS (BY POLICE), AND ENRAGED CITIZENS WHO HAVE TRIED TO
17 SEEN REDRESS TO THESE GRIEVANCES THROUGH THE COURTS AS WELL
18 AS THROUGH THE OFFICE OF THE ATTORNEY GENERAL OF THE UNITED
19 STATES. LITTLE HAS HAPPENED TO CHANGE THE STATUS QUO.

20 *I DO HOPE THAT AS A RESULT OF YOUR EFFORTS
21 THROUGH HOUSE JUDICIARY COMMITTEE ON CRIME AND CORRECTION WE
22 CAN BEGIN TO HOPE FOR HUMANE TREATMENT AND JUSTICE FROM OUR
23 CRIMINAL JUSTICE SYSTEM. SINCERELY YOURS, PAUL M.
24 WASHINGTON.*)

25 CHAIRMAN RHODES: REVEREND KIRKLAND, DO YOU

1 HAVE A SUBPOENA IN YOUR POSSESSION, A SUBPOENA TO APPEAR
2 BEFORE THIS SUB-COMMITTEE?

3 REVEREND KIRKLAND: YES, SIR, I DO.

4 ---

5 REVEREND JOSEPH P. KIRKLAND, SWORN.

6 CHAIRMAN RHODES: YOU MAY PROCEED, REVEREND.

7 A. ON AUGUST 4, 1972, MY FAMILY AND I HEARD
8 NOISES ON 19TH STREET, WHICH IS PARALLEL TO OUR APARTMENT.
9 UPON LOOKING OUT THE WINDOW I OBSERVED FIVE WHITE POLICEMEN
10 WITH A BLACK MAN ON THE GROUND, KICKING HIM --

11 CHAIRMAN RHODES: REVEREND KIRKLAND, DID YOU
12 SAY AUGUST 14 OR AUGUST 4?

13 A. AUGUST 4.

14 UPON LOOKING OUT THE WINDOW I OBSERVED FIVE
15 WHITE POLICEMEN, KICKING, HITTING WITH CLUBS, A BLACK MAN ON
16 THE GROUND. THEY DID THIS AS IF IT WERE HORSEPLAY, AND THIS
17 TIME WAS APPROXIMATELY 1:30 IN THE MORNING, WHEN THE STREETS
18 WERE QUIET AND THE NEIGHBORS ARE ASLEEP. I PULLED UP MY
19 WINDOW, I HOLLERED TO THE POLICEMEN FROM MY WINDOW, "YOU HAVE
20 THE MAN SUBDUED, STOP HITTING HIM." I HOLLERED TO THE
21 POLICEMEN SEVERAL TIMES.

22 AFTER A BIT -- INCIDENTALLY, THEY WERE
23 TRYING TO BLOCK WHAT THEY WERE DOING BY THE WAY IN WHICH THEY
24 PARKED THE POLICE VAN SO THAT ANYBODY COMING BY COULD NOT SEE
25 THEM.

1 AFTER A BIT, THEY PUT HIM IN THE POLICE VAN
2 AND CARRIED HIM IN, AND UPON THE COMMAND OF A SERGEANT
3 SELFRIDGE, WHO WAS IN COMMAND OF THESE MEN, THEY KICKED --

4 CHAIRMAN RHODES: HOW DO YOU SPELL THAT NAME?

5 A. S-E-L-F-R-I-D-G-E, THE "D" MIGHT BE WRONG.

6 CHAIRMAN RHODES: ALL RIGHT.

7 A. THEY KICKED DOWN MY FRONT DOOR -- CAME TO MY
8 HOME, BEAT ME, AND ARRESTED MY FAMILY, MY WIFE, MY DAUGHTER,
9 AND I HAD A HOUSE GUEST THERE FROM GERMANY. THEY ARRESTED
10 US. I HAPPENED TO ESCAPE. WE OWN A FUNERAL HOME ON THE
11 FIRST FLOOR, AND THIS BUILDING IS ADJOINED TO THE BUILDING
12 NEXT DOOR, AND I WAS ABLE TO GET AWAY FROM THE POLICE BEFORE
13 THEY KILLED ME.

14 CHAIRMAN RHODES: WHEN YOU SAY THEY KICKED IN
15 THE DOOR, WHO DID?

16 A. THE POLICE OFFICERS, FIVE OF THEM --

17 CHAIRMAN RHODES: FIVE POLICE OFFICERS.

18 A. -- CAME INTO MY HOME, AND AN OFFICER
19 KRUPINSKI, I WILL SPELL HIS NAME -- ONE SECOND, I BROUGHT A
20 CLIPPING TO HELP ME. OFFICER THOMAS KRUPINSKI,
21 K-R-U-P-I-N-S-K-I WAS THE OFFICER WHO HIT ME WITH HIS CLUB,
22 AND ALSO HIT ME ON MY SHINS IN ORDER TO PREVENT ME FROM
23 RUNNING AND KICKING. BUT I OVERCAME BOTH OF THEM BECAUSE I
24 RAN OUT.

25 MY WIFE WAS A FUNERAL DIRECTOR, MY DAUGHTER

1 WHO WAS A STUDENT AT HOWARD UNIVERSITY AT THE TIME, AND MY
2 HOUSE GUEST WHO WAS A SCHOOL TEACHER IN GERMANY WERE TAKEN TO
3 THE DETECTIVE BUREAU AT 24TH AND WOLF.

4 WHEN I CAME TO MYSELF, I CALLED ONE OF MY
5 FRIENDS, A MUNICIPAL JUDGE, WHO WAS A MUNICIPAL JUDGE IN THE
6 CITY AT THE TIME, HARRY MELTON, WHO ALSO IS THE CHAIRMAN OF
7 MY TRUSTEES BOARD AT CHURCH. HE CAME DOWN TO THE HOUSE AND
8 ADVISED THAT I SHOULD GO TO THE POLICE STATION.

9 WHEN I WENT INTO THE POLICE STATION AT 17TH
10 -- 17TH POLICE DISTRICT AT 20TH AND FEDERAL, A SERGEANT
11 SELFRIDGE CAME OUT LIKE A RAVING MANIAC, "WE ARE LOOKING FOR
12 YOU. WE WANT YOU. YOU'RE UNDER ARREST." I WAS TAKEN TO
13 24TH AND -- AROUND SNYDER AVENUE, 24TH AND WOLF TO BE EXACT.

14 NOW THIS IS WHAT YOU GO THROUGH. YOUR
15 ARRESTING OFFICERS COME FROM THE POLICE STATION AT 20TH AND
16 FEDERAL, BUT SEEMLY NO ONE IS ARRESTED THERE NOR QUESTIONED,
17 SO WHEN YOUR FAMILIES COME TO INQUIRE AS TO WHERE IS "JOE
18 DOE," HE IS NOT AT 20TH AND FEDERAL, AND NO ONE KNOWS HIS
19 WHEREABOUTS, BUT HE ALWAYS LANDS UP AT 24TH AND WOLF. I WAS
20 TAKEN TO 24TH AND WOLF.

21 I WAS PLACED IN A ROOM APPROXIMATELY EIGHT
22 BY EIGHT WITH ABOUT SIX OR SEVEN OTHER MALE BLACKS. IT WAS
23 MY TIME TO COME OUT OF THIS ROOM I GUESS, TO BE INTERVIEWED,
24 INTERROGATED, WHATNOT. WHEN I CAME OUT, A DETECTIVE
25 WITHERSPOON, WITH WHOM I HAD PREVIOUS CONTACT AS A MEMBER OF

1 THE COMMUNITY ASKED ME, "WHAT ARE YOU DOING IN HERE"; AND HE
2 WENT TO THE COMMANDING OFFICER OF THE 24TH AND WOLF STREETS
3 DETECTIVE BUREAU AND ADVISED THEM THAT I WAS A MINISTER IN
4 THE COMMUNITY AND THAT SOMETHING HAD TO HAVE GONE WRONG.
5 THEN I WAS TAKEN TO A ROOM WHERE MY WIFE AND DAUGHTER AND A
6 YOUNG LADY, CHRISTIANNE REGNER FROM GERMANY WERE. THERE I
7 REMAINED. I WAS NEVER QUESTIONED, I WAS NEVER CHARGED WITH
8 ANYTHING.

9 THE CAPTAIN OF THE DETECTIVE BUREAU, ALL HE
10 WANTED TO KNOW FROM ME WAS "REVEREND, DID ANYTHING WRONG
11 HAPPEN TO YOU DOWN HERE" -- WHICH IT HAD NOT, BUT THIS IS HIS
12 CHIEF CONCERN. HE EVENTUALLY SENT IN TWO DETECTIVES ASKING
13 IF I WOULD DROP THE CHARGES, IF I WOULD JUST LET EVERYTHING
14 GO AS IS, WITHOUT GOING UP TO THE ROUNDHOUSE.

15 REPRESENTATIVE WHITE: WHO PROPOSED THAT
16 PROPOSITION?

17 A. TWO DETECTIVES WHO WERE SENT IN BY THE
18 CAPTAIN.

19 REPRESENTATIVE WHITE: WERE YOU STILL AT 24TH
20 AND WOLF?

21 A. I WAS STILL AT 24TH AND WOLF. I WAS AT 24TH
22 AND WOLF, APPROXIMATELY 2 O'CLOCK IN THE MORNING UNTIL 7
23 O'CLOCK IN THE MORNING, JUST SITTING AND WAITING.

24 REPRESENTATIVE WHITE: DID THEY ASK YOU IF YOU
25 WERE GOING TO PURSUE THIS?

1 A. THEY ASKED ME NOTHING, NOT EVEN MY NAME. AT
2 THE DETECTIVE BUREAU I WAS NOT QUESTIONED ONE BIT, MY WIFE
3 WAS NOT QUESTIONED, MY DAUGHTER WAS NOT QUESTIONED, AND MY
4 HOUSE GUEST WAS NOT QUESTIONED, NOT EVEN NAMES, ADDRESSES,
5 AND PHONE NUMBERS.

6 REPRESENTATIVE WHITE: BUT THEY DID SUGGEST
7 THAT YOU SHOULD NOT CARRY THIS ANY FURTHER?

8 A. RIGHT.

9 REPRESENTATIVE WHITE: DO YOU KNOW WHO THOSE
10 DETECTIVES WERE?

11 A. NO, I DON'T.

12 REPRESENTATIVE WHITE: OKAY.

13 A. THEY PROCEEDED TO CARRY US UP TO THE ROUND
14 HOUSE -- LIKE, BY 8 O'CLOCK. WE HAD A TRIAL. I WAS
15 FINGERPRINTED AT 11 OR 12 O'CLOCK. THEY WERE BUSY WASHING
16 FLOORS AND WAXING THE FLOORS; THEREFORE, NO ONE COULD BE
17 FINGERPRINTED NOR PHOTOGRAPHED DURING THIS PERIOD. AT AROUND
18 3:30 OR 4 O'CLOCK IN THE AFTERNOON WE WERE GIVEN A -- WHAT IS
19 IT, A PRELIMINARY HEARING BEFORE THE JUDGE, OKAY.

20 THE WORD DID COME DOWN, HOWEVER, THAT
21 BECAUSE I WAS A MINISTER I SHOULD NOT BE HANDCUFFED, AND
22 BECAUSE THERE WERE A NUMBER OF PEOPLE WHO HAD COME FORTH FOR
23 THE HEARINGS, YOU KNOW, DON'T PUT HANDCUFFS ON ME.

24 THE FOLLOWING DAY, I WENT TO THE HOSPITAL.
25 I WAS OFFERED HOSPITALIZATION -- DETECTIVE WITHERSPOON

1 OFFERED TO TAKE ME TO THE HOSPITAL.

2 CHAIRMAN RHODES: DIDN'T THEY, REVEREND
3 KIRKLAND, TELL YOU WHAT YOU WERE CHARGED WITH YET?

4 A. I INQUIRED AT 5:30 ON SATURDAY MORNING WHAT
5 CHARGES WERE AGAINST ME, I INQUIRED OF THE CAPTAIN OF THE
6 DETECTIVE BUREAU. HE TOLD ME THEY HAD NOT DECIDED YET AT
7 20TH AND FEDERAL. I DID NOT KNOW WHAT I WAS BEING CHARGED
8 WITH UNTIL I WAS BEFORE THE JUDGE THE FOLLOWING DAY.

9 REPRESENTATIVE DUMAS: WHAT WERE THE CHARGES?

10 A. INCITING A RIOT -- LET ME READ MY PAPER.
11 INCITING A RIOT, ASSAULT AND BATTERY AGAINST A POLICE
12 OFFICER, AND RESISTING ARREST.

13 REPRESENTATIVE DUMAS: INCREDIBLE.

14 CHAIRMAN RHODES: GO AHEAD, REVEREND.

15 A. OKAY. I WAS RELEASED AND TRIAL WAS SET. I
16 FINALLY HAD A HEARING BEFORE A JUDGE CONROY, AND THIS HAD
17 NOTHING TO DO WITH POLICE BRUTALITY, BUT HOW, THE WAY IN
18 WHICH THE COURT SYSTEM WORKS.

19 I HAD A VERY COMPETENT LAWYER WHO BECAME
20 MOST INCOMPETENT WHEN IT CAME TO REPRESENTING ME IN COURT.
21 POINT NUMBER ONE: WHEN I WAS IN THE HOSPITAL FROM THIS CASE,
22 HE BROUGHT REPRESENTATIVES FROM THE D.A.'S OFFICE FOR ME TO
23 GIVE THEM A STATEMENT. HE DID THE SAME THING AT MY HOME WITH
24 MY WIFE AND DAUGHTER, BUT WE HAD CONFIDENCE IN HIM. HE
25 POSTPONED THE CASE SO THE POLICE OF THE CITY COULD GET MORE

1 INFORMATION AND MATERIAL FOR THEIR CASE THAT THIS MIGHT BE
2 KNOWN.

3 AT THE TRIAL -- MY WIFE WHO HAD BEEN
4 ARRESTED WAS NEVER TRIED, AND THE YOUNG LADY FROM GERMANY AND
5 MYSELF WERE TRIED TOGETHER. AND THE --

6 REPRESENTATIVE WIGGINS: EXCUSE ME.

7 CHAIRMAN RHODES: REPRESENTATIVE WIGGINS.

8 REPRESENTATIVE WIGGINS: ARE YOU NOW REFERRING
9 TO THE TRIAL, THE HEARING THAT YOU HAD AT THREE IN THE
10 AFTERNOON --

11 A. NO.

12 REPRESENTATIVE WIGGINS: -- AT THE ROUNDHOUSE?

13 A. NO, I PASSED THAT.

14 REPRESENTATIVE WIGGINS: I'M SORRY. I AM
15 TRYING TO GET CLARIFICATION, THAT'S WHY WE INTERRUPTED YOU.

16 A. I AM TALKING ABOUT HOW MY LAWYER, A VERY
17 COMPETENT LAWYER BECAME VERY INCOMPETENT WHEN HE HAD A POLICE
18 BRUTALITY CASE TO DEAL WITH. SEE WHAT I AM SAYING?

19 REPRESENTATIVE WIGGINS: AT A SUBSEQUENT DATE
20 AFTER THE ROUNDHOUSE HEARING?

21 A. RIGHT.

22 REPRESENTATIVE WIGGINS: OKAY, THAT'S THE POINT
23 I AM TRYING TO ESTABLISH.

24 A. THIS IS A HEARING DOWN IN CITY HALL WITH
25 JUDGE CONROY.

1 REPRESENTATIVE WIGGINS: OKAY.

2 A. OKAY. THE POLICE OFFICERS TESTIFIED THAT
3 THE REASON THEY BROKE INTO MY HOME WAS BECAUSE I HAD THROWN
4 -- ONE SAID I HAD THROWN BOTTLES OUT THE WINDOW; ANOTHER SAID
5 THAT I HAD THROWN AN OBJECT OUT THE WINDOW; ANOTHER SAID THAT
6 I HAD CALLED ALL THE NEIGHBORS -- NOW THIS IS 1:30 IN THE
7 MORNING, AND I LIVE IN A RETIRED NEIGHBORHOOD, THE LIGHTS GO
8 OUT IN MY NEIGHBORHOOD 9 O'CLOCK AT NIGHT.

9 I HAVE THE, I THINK I HAVE THE LARGEST --
10 THERE ARE MORE PEOPLE LIVING IN MY APARTMENT THAN IN ANY
11 OTHER HOME IN THAT COMMUNITY. HALF THE TIME THERE ARE POOR
12 PEOPLE LIVING THERE, EITHER WIDOWS, WIDOWERS, PEOPLE IN THEIR
13 SEVENTIES AND EIGHTIES.

14 ONE TESTIFIED THAT I HAD GATHERED THE
15 NEIGHBORS ABOUT, AND AT LEAST 150 OR 200 PEOPLE CAME ON THE
16 STREET, AND I ENCOURAGED THEM TO RIOT, WHEN IN FACT, I NEVER
17 LEFT MY HOME.

18 CHAIRMAN RHODES: SORT OF LIKE A GRAY PANTHER
19 RIOT.

20 A. WHATEVER IT IS.

21 ANOTHER TESTIFIED THAT I HAD USED VULGARITY
22 OUT OF THE WINDOW AT THEM, AND CURSED ALL OF THEM OUT. I AM
23 NOT PRONE TO VULGARITY, NEVER HAVE BEEN.

24 I WAS FOUND NOT GUILTY, BUT I THINK THIS IS
25 THE IMPORTANT THING: I COULD NOT TESTIFY, MY WIFE COULD NOT

1 TESTIFY, MY DAUGHTER DID NOT TESTIFY, MY HOUSE GUEST DID NOT
2 TESTIFY; POLICE OFFICERS TESTIFIED; BUT THE JUDGE IS ABLE TO
3 SAY AT THE CONCLUSION OF THE TRIAL, "EVEN THOUGH I HAVE HEARD
4 THIS TESTIMONY, I AM QUITE SURE THAT THE REVEREND DID
5 SOMETHING TO AGITATE THEM." THIS WAS HIS CONCLUSION. YOU
6 KNOW, HOW CAN YOU DRAW A CONCLUSION WITHOUT GETTING ALL YOUR
7 FACTS?

8 WE HAVE A VICIOUS SYSTEM WHERE THE POLICE,
9 WITH THE JUDGES, AND SOMETIMES EVEN THE COURTS -- BECAUSE
10 AFTER THINKING BACK FOUR, FIVE, SIX YEARS, I DO THINK THERE
11 WAS COLLUSION BETWEEN MY LAWYER AND THE CITY OF
12 PHILADELPHIA. THAT'S IT.

13 CHAIRMAN RHODES: THANK YOU, REVEREND KIRKLAND.

14 ARE THERE QUESTIONS FROM THE COMMITTEE? WE
15 WILL START WITH REPRESENTATIVE WIGGINS.

16 REPRESENTATIVE WIGGINS:

17 Q. REVEREND KIRKLAND, I WOULD LIKE TO, FIRST OF
18 ALL, THANK YOU FOR BEING HERE. AS ONE OF MY CONSTITUENTS OF
19 SOUTH PHILADELPHIA, I AM MORE THAN PLEASED THAT YOU FELT IT
20 WAS YOUR CIVIC DUTY TO COME FORWARD AND STATE THE FACTS AS
21 YOU KNOW THEM. SO THAT THE MEMBERS OF THIS PANEL WILL KNOW
22 MY FULL FEELINGS FOR YOU, I WOULD LIKE EVERYONE HERE IN THIS
23 ROOM TO KNOW THAT, EVEN THOUGH REVEREND KIRKLAND IS THE
24 PASTOR OF THE HOLY REDEEMER CHURCH RIGHT NOW, HE WAS THE
25 FORMER PASTOR OF THE UNION BAPTIST CHURCH, WHICH MY WIFE IS A

1 MEMBER OF; HE IS ALSO THE GOOD REVEREND THAT UNITED THE YOUNG
2 LADY IN HOLY WEDLOCK BACK IN 1960. SO I HAVE NOTHING BUT
3 ADMIRATION FOR REVEREND KIRKLAND.

4 REVEREND KIRKLAND, I WOULD LIKE YOU TO KNOW
5 THAT ALL THE QUESTIONS THAT I AM DIRECTING TO YOU, IN NO WAY
6 ARE THEY HOSTILE; BUT, MORE SO IT WILL BE ENOUGH ON MY PART
7 TO MAKE THE INQUIRIES SO THAT THE FULL FACTS CAN BE DISCLOSED
8 BEFORE THIS PANEL, HOPEFULLY, SO THAT FORTHCOMING LEGISLATION
9 WILL BE ENACTED TO CORRECT SOME OF THE ILLS. WITH THAT
10 STATEMENT, REVEREND KIRKLAND, I WOULD LIKE TO TALK ABOUT THE
11 PHYSICAL LOCATION OF YOUR HOME, WHICH WAS INVADED BY THE
12 POLICE THAT PROMPTED THIS SITUATION.

13 NOW, CORRECT ME IF I AM WRONG, ARE YOU
14 REFERRING TO YOUR HOME LOCATION ON THE NORTHWEST CORNER OF
15 19TH AND FEDERAL?

16 A. THAT'S CORRECT.

17 Q. OKAY. YOUR HOME AS I RECALL IT, REVEREND
18 KIRKLAND, SINCE I LIVE AT 26TH AND FEDERAL, FACES TWO
19 STREETS.

20 A. RIGHT.

21 Q. THE SHORT SIDE BEING ON FEDERAL STREET, THE
22 LONG EXTENSION OF THE PROPERTY BEING ON 19TH STREET.

23 AS STATED BY YOU IN YOUR TESTIMONY, YOU
24 LOOKED OUT THE WINDOW ON THE 19TH STREET SIDE OF YOUR
25 PROPERTY.

1 A. THAT'S CORRECT.

2 Q. OKAY. AS A RESULT OF YOUR MAKING A REQUEST,
3 THAT THE OFFICERS SUSTAIN FROM BEATING, HARASSING, AND
4 MISUSING THE INDIVIDUAL AS THEY DID AT 1:30 IN THE MORNING,
5 YOUR PROPERTY WAS INVADED BY FIVE POLICE OFFICERS, AND YOU,
6 AS A RESULT, YOU AND YOUR FAMILY SUFFERED PHYSICAL INJURIES
7 AND MENTAL ANGUISH.

8 WOULD YOU PLEASE TELL THIS AUDIENCE AND THIS
9 PANEL EXACTLY WHAT WAS NECESSARY FOR THE POLICE OFFICERS ON
10 19TH STREET TO COME INTO YOUR HOUSE AND INVADE THE SECOND
11 FLOOR AREA, WHICH I BELIEVE WAS WHERE YOU AND YOUR FAMILY
12 RESIDE?

13 A. ALL I DID TO THE OFFICERS WAS TELL THEM, YOU
14 KNOW, STOP BEATING THE MAN -- YOU KNOW, IT COULD HAVE BEEN
15 ANYONE, AND I DIDN'T KNOW THE FELLOW THEY WERE BEATING -- YOU
16 KNOW, YOU HAVE SUBDUED HIM. DOING THIS TWO OR THREE TIMES
17 WAS ENOUGH FOR THEM TO COME TO MY FRONT DOOR AND KICK IT IN
18 AND COME INTO MY HOME.

19 Q. OKAY. REVEREND, I AM JUST TRYING TO SECURE
20 THE FACTS, I AM NOT TRYING TO LEAD YOU AS A WITNESS. THE
21 POINT I WAS TRYING TO ESTABLISH IS: IN ORDER TO PENETRATE
22 YOUR LIVING QUARTERS, I BELIEVE IT IS NECESSARY TO COME TO
23 FEDERAL STREET; AM I CORRECT? I HAVE NEVER BEEN IN YOUR HOME,
24 BUT I THINK THERE IS AN ENTRANCE ON FEDERAL STREET IN ORDER
25 TO GET TO THE PREMISES ON THE SECOND FLOOR; NOW CORRECT ME IF

1 I AM WRONG.

2 A. I HAVE AN ENTRANCE ON FEDERAL STREET FOR
3 ANOTHER WAY IN THE HOUSE, AND AN ENTRANCE ON 19TH STREET.

4 Q. TO COME TO YOUR LIVING QUARTERS ON THE
5 SECOND FLOOR?

6 A. YES.

7 Q. OKAY. SO YOU ARE SAYING WHEN YOUR PROPERTY,
8 YOUR LIVING QUARTERS WAS PENETRATED BY THE POLICE OFFICERS,
9 IT WAS DONE SO BY WAY OF THE 19TH STREET --

10 A. 19TH STREET ENTRANCE.

11 Q. 19TH STREET ENTRANCE?

12 A. YES.

13 Q. OKAY. THANK YOU VERY MUCH.

14 A. ACTUALLY THEY TRIED TO PENETRATE THE FUNERAL
15 HOME DOOR.

16 Q. THAT'S ANOTHER POINT I WANT TO BRING OUT.

17 A. YES?

18 Q. YOUR LOCATION ON THE NORTHWEST CORNER OF
19 20TH AND FEDERAL, I BELIEVE ON THE FIRST FLOOR YOU HAVE A
20 BUSINESS ESTABLISHMENT.

21 A. THAT'S RIGHT.

22 CHAIRMAN RHODES: SUSPEND FOR A MOMENT.

23 (PAUSE.)

24 YOU MAY PROCEED.

25 REPRESENTATIVE WIGGINS:

1 Q. ON THE 20TH STREET SIDE OF YOUR PROPERTY --
2 CHANGE THAT, SIR. ON THE FEDERAL STREET SIDE OF YOUR
3 PROPERTY AT 19TH AND FEDERAL, YOU HAVE IN BOLD LETTERS I
4 BELIEVE, AN INDICATION OF SOME TYPE OF BUSINESS.

5 A. RIGHT.

6 Q. WOULD YOU TELL ME SPECIFICALLY WHAT THOSE
7 LETTERS SAY, WHAT TYPE OF BUSINESS ARE THEY IN REFERENCE TO?

8 A. ON THE 19TH STREET ENTRANCE, AND ALSO ON THE
9 FEDERAL STREET ENTRANCE SIDE, THERE ARE SIGNS "LYDIA P.
10 KIRKLAND, FUNERAL HOME."

11 Q. OKAY. IF I MAY, SIR, GO ON TO ANOTHER
12 SUBJECT.

13 WE SPOKE ABOUT OFFICER KRUPINSKI, AND YOU
14 HAD MENTIONED EARLIER -- AND MAYBE I MISSED IT -- I WAS
15 TRYING TO LISTEN TO YOU VERY CLOSELY, I HOPE I WROTE IT DOWN
16 PROPERLY; YOU STATED THAT HE HAD HIT YOU ON YOUR GROIN AND
17 SHIN -- NOW MAYBE I'M WRONG.

18 A. ON MY HEAD, SHINS.

19 Q. YOUR HEAD AND SHINS?

20 A. HEAD, HAND AND SHINS. YOU KNOW, THIS WAS A
21 MATTER OF SUBDUING --

22 Q. OKAY. BUT WHAT YOU DID NOT SAY, REVEREND
23 KIRKLAND, IS WHAT HE HIT YOU WITH.

24 A. WITH HIS CLUB.

25 Q. WITH HIS CLUB?

1 A. YES.

2 CHAIRMAN RHODES: WITH HIS CLUB OR HIS
3 BLACKJACK?

4 A. HIS CLUB.

5 REPRESENTATIVE WIGGINS:

6 Q. OKAY. WAS THAT REPEATEDLY? CAN WE TALK IN
7 TERMS OF HOW MANY TIMES?

8 A. WELL, THIS IS JUST TOO DIFFICULT TO
9 ASCERTAIN, YOU KNOW, YOU DON'T KNOW HOW MANY TIMES A MAN HITS
10 YOU WHEN YOU HAVE BEEN HIT, AND YOU ARE NOT ACCUSTOMED TO
11 BEING HIT, SO IT'S VERY DIFFICULT TO SAY HOW MANY TIMES A MAN
12 HITS YOU, BUT I DO KNOW THAT THE NEXT MORNING I WAS IN
13 MERCY-DOUGLAS HOSPITAL.

14 Q. OKAY. AS A RESULT OF YOUR GOING TO
15 MERCY-DOUGLAS HOSPITAL, THERE WERE OBVIOUSLY ABRASIONS,
16 CONTUSIONS AND/OR STITCHES.

17 A. THAT SORT OF THING.

18 Q. I'M ASKING YOU, I DON'T KNOW.

19 A. YES, A SLIGHT CONCUSSION, MR. WIGGINS.

20 Q. OKAY. ANY STITCHES, REVEREND?

21 A. NO, SIR.

22 Q. I DON'T WANT TO REPEAT A NAME, BUT YOU DID
23 STATE THAT AT 20TH AND -- CHANGE THAT -- 24TH AND WOLF, THAT
24 YOU ENCOUNTERED A DETECTIVE THAT WAS CONCERNED OVER YOUR
25 SAFETY WHO KNEW YOU WERE A MINISTER IN THE COMMUNITY. NOW,

1 THE PERSON YOU REFERRED TO IS ACTIVELY INVOLVED IN THE
2 HOMICIDE DIVISION. I KNOW THE INDIVIDUAL ALSO, HE'S A VERY
3 GOOD FRIEND OF MINE.

4 I AM TRYING TO MAKE OUT IN MY MIND WHY YOU
5 AND YOUR FAMILY, WHO WERE ARRESTED FOR INCITING A RIOT,
6 RESISTING ARREST, ASSAULT AND BATTERY, SHOULD EVER HAVE BEEN,
7 IN THE FIRST PLACE, AT 24TH AND WOLF, AND I AM WONDERING IF
8 YOU HAVE COME TO ANY CONCLUSIONS AS TO THAT LOCATION.

9 A. THIS IS A PART --

10 Q. EXCUSE ME, SIR, THAT HAPPENED TO BE THE
11 SOUTHWEST DETECTIVE HEADQUARTERS?

12 A. RIGHT.

13 Q. I WOULD LIKE TO IDENTIFY THAT LOCATION FOR
14 YOU REVEREND, AND FOR THE COMMITTEE MEMBERS ALSO: 24TH AND
15 WOLF IS THE SOUTHWEST DETECTIVE BUREAU.

16 A. YES.

17 Q. OKAY. WOULD YOU --

18 A. THIS I BELIEVE IS A METHOD OF KEEPING THE
19 PEOPLE WHO WERE IN THE COMMUNITY WITHOUT THE INFORMATION OF
20 WHERE THEIR RELATIVES ARE, WHEN AND IF THEIR RELATIVES ARE
21 ARRESTED. COMMONSENSE WOULD THINK THEY WOULD BE AT 20TH AND
22 FEDERAL, BUT IN FACT THEY ALWAYS LAND UP AT 24TH AND WOLF.

23 Q. 20TH AND FEDERAL, BEING THE 17TH POLICE
24 DISTRICT?

25 A. 17TH POLICE DISTRICT. AND THEY ALWAYS ARE

1 TAKEN TO 24TH AND WOLF. IT'S JUST A COMMON OCCURRENCE EACH
2 DAY. I LIVE JUST ONE BLOCK FROM THE 17TH POLICE DISTRICT,
3 AND THIS CAN BE SEEN ON A DAILY BASIS.

4 Q. OKAY, REVEREND, PLEASE BEAR WITH ME. YOU
5 HAVE MENTIONED EARLIER THAT YOU HAD GONE TO THE HOSPITAL.
6 THE DATE THAT THIS INCIDENT HAPPENED WAS AUGUST 4, 1972. YOU
7 WERE IN YOUR HOME. THE INCIDENT HAPPENED APPROXIMATELY 1:30
8 A. M., YOU WERE AT -- AND CORRECT ME IF I AM WRONG, I AM NOT
9 TRYING TO CHANGE YOUR WORDS, BUT AGAIN, I AM TAKING NOTES --
10 FROM 2 TO 7 A. M., YOU WERE AT THE SOUTHWEST DETECTIVE
11 AGENCY, AT 8 O'CLOCK YOU WERE AT THE ROUNDHOUSE.

12 A. RIGHT.

13 Q. AND YOU HAD A 3 O'CLOCK HEARING; AM I
14 CORRECT ON THAT?

15 A. CORRECT.

16 Q. OKAY. MY QUESTION TO YOU IS: WHEN DID YOU
17 GO TO THE HOSPITAL?

18 A. I WENT TO THE HOSPITAL AFTER MY HEARING. I
19 WOULD NOT LET, I WOULD IN NO WAY LET POLICE OFFICERS TAKE ME
20 TO THE HOSPITAL AT 3 O'CLOCK IN THE MORNING, UNDER NO
21 CIRCUMSTANCES. THEY OFFERED. WITHERSPOON ASKED ME IF I
22 WANTED POLICE OFFICERS TO TAKE ME TO THE HOSPITAL. I WAS
23 BETTER OFF BLEEDING IN THE DETECTIVES' SPOT RATHER THAN
24 GOING TO THE HOSPITAL WITH SOME WHITE POLICEMEN.

25 Q. YOU RAISE ANOTHER QUESTION, REVEREND --

1 BLEEDING. I RAISED THE QUESTION EARLIER: ABRASIONS,
2 CONTUSIONS, STITCHES. NOW, IT IS NOT NECESSARY TO HAVE
3 STITCHES IN ORDER TO BLEED, AND I AM AWARE OF THAT. YOU
4 COULD BE BLEEDING FROM YOUR NOSE OR YOUR MOUTH, YOU KNOW,
5 HAVE A PUNCH DELIVERED TO THAT AREA.

6 MY QUESTION TO YOU IS: WHERE WERE YOU
7 BLEEDING FROM?

8 A. I WAS BLEEDING FROM MY HEAD.

9 Q. OKAY. SO YOU HAD OPEN WOUNDS ON YOUR HEAD?

10 A. YES, FROM MY HEAD.

11 Q. OKAY. I AM TRYING TO MAKE A DETERMINATION
12 AGAIN.

13 A. YES?

14 Q. YOU HAD OPEN WOUNDS ON YOUR HEAD, HOWEVER,
15 NOT REQUIRING STITCHES?

16 A. RIGHT.

17 Q. OKAY. YOUR LAWYER, WHO AT A SUBSEQUENT DATE
18 AFTER THE HEARING AT THE ROUNDHOUSE BECAME VERY INCOMPETENT
19 AS YOUR DEFENDER, YOUR CHAMPION --

20 A. RIGHT.

21 Q. -- FOR WHATEVER HIS REASONS MIGHT BE. COULD
22 YOU STATE IN YOUR OPINION WHY YOUR ATTORNEY TOOK THE POSITION
23 THAT HE DID?

24 A. SINCE THAT CASE, I HAVE SENT A DAUGHTER TO
25 LAW SCHOOL AND AS WE DISCUSS LAW AND AS WE READ CASES, THE

1 WAY IN WHICH MY LAWYER HANDLED THE CASE WAS THE ESSENCE OF
2 INCOMPETENCY, NOT BECAUSE HE IS INCOMPETENT, HE IS MOST
3 COMPETENT, EVEN TO THE TUNE THAT HE WOULD NOT EVEN FOLLOW-UP
4 MY CASE TO BRING SUIT AGAINST THE CITY, AND MONEY WASN'T HIS
5 PROBLEM. IT WAS JUST ME.

6 Q. WAS YOUR ATTORNEY WHITE OR BLACK?

7 A. BLACK. A. BENJAMIN JOHNSON, THAT'S HIS
8 NAME.

9 Q. WELL, I DIDN'T ASK THAT. I DID NOT ASK
10 THAT.

11 A. I'LL SAY HIS NAME.

12 Q. I DID NOT ASK THAT.

13 A. I HAVE NO QUALMS. I KNOW YOU DID NOT ASK
14 THAT, BUT I'LL SAY HIS NAME.

15 Q. I DID NOT ASK THAT. I WOULD LIKE FOR THE
16 RECORD TO SHOW THAT I DID NOT RAISE THAT QUESTION. I DID NOT
17 ASK THAT.

18 A. I WAS GOING TO SAY HIS NAME BEFORE I LEFT.

19 Q. I DON'T WANT TO EMBARRASS ANYONE.

20 CHAIRMAN RHODES: DO YOU HAVE ANY MORE
21 QUESTIONS, REPRESENTATIVE WIGGINS?

22 REPRESENTATIVE WIGGINS: YES.

23 REPRESENTATIVE WIGGINS:

24 Q. ONE MORE FINAL QUESTION, REVEREND KIRKLAND.
25 BOTH YOU AND YOUR FAMILY HAD REFUSED TO TESTIFY AT A

1. SUBSEQUENT HEARING. WOULD YOU LIKE TO TELL THE PANEL AS TO
2 WHAT YOUR REASONS MIGHT HAVE BEEN AS TO WHY YOU AND YOUR
3 FAMILY HESITATED TO GIVE TESTIMONY RELATIVE TO THE ISSUES
4 THAT HAD TAKEN PLACE WITH YOU.

5 A. DO YOU MEAN INVOLVED IN FOLLOWING THE CASE
6 UP, IS THAT WHAT YOU MEAN, SIR?

7 Q. YES, SIR.

8 A. I HAVE SOME REASONS FOR THAT.

9 Q. WAS IT FEAR FROM --

10 A. OH, NO, NO.

11 Q. OKAY. THAT'S --

12 A. NO, IT WAS MORE THEOLOGICAL AND MORE
13 INVOLVED CHRISTIANITY. THERE IS A LITTLE PASSAGE IN THE
14 BIBLE THAT SAYS, "WAIT ON THE LORD." I KNEW SOMETHING LIKE
15 THIS WAS GOING TO HAPPEN ONE DAY, AND I AM PRODUCING THE
16 LORD.

17 Q. AMEN.

18 A. CERTAINLY. WHEREAS, MAYBE THE EFFECTIVENESS
19 OF A LEGAL MIND THAT IS FREE MIGHT BE ABLE TO DO MORE FOR MY
20 NEIGHBORS AND FOR MY FRIENDS THAN A LITTLE MESS OF APOLOGY
21 THAT I MIGHT BE ABLE TO GET FROM THE CITY. THIS IS MUCH MORE
22 IMPORTANT TO ME THAN FOLLOWING THROUGH WITH IT.

23 CHAIRMAN RHODES:

24 Q. HAVE YOU EVER RUN INTO OFFICER KRUPINSKI
25 SINCE?

1 A. YES, I HAVE.

2 Q. WHERE?

3 A. AT THE 17TH POLICE DISTRICT.

4 Q. WHAT IS THE NATURE OF THOSE ENCOUNTERS
5 BETWEEN YOU? HOW DO YOU FEEL WHEN YOU RUN INTO HIM?

6 A. I DON'T DEAL WITH HIM.

7 Q. WHAT DO YOU MEAN YOU DON'T DEAL WITH HIM?

8 A. I DO NOT EVEN TALK TO HIM. IF I GO INTO THE
9 POLICE STATION, AND HE IS THERE AT THE WINDOW, I TELL HIM, "I
10 DON'T WANT TO SAY ANYTHING TO YOU, GIVE ME SOMEBODY ELSE,"
11 AND HE IMMEDIATELY GOES AWAY AND BRINGS SOMEBODY ELSE.

12 CHAIRMAN RHODES: THANK YOU, REVEREND KIRKLAND.
13 IS THAT ALL REPRESENTATIVE WIGGINS?

14 REPRESENTATIVE WIGGINS: YES, AND I WOULD LIKE
15 TO THANK YOU AGAIN REVEREND KIRKLAND FOR BEING GRACIOUS
16 ENOUGH TO APPEAR BEFORE THIS COMMITTEE.

17 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS.

18 REPRESENTATIVE WILLIAMS:

19 Q. REVEREND KIRKLAND, I UNDERSTAND THAT IN THE
20 CRIMINAL CHARGES THAT WERE AGAINST YOU, THEY WERE BASICALLY
21 DISMISSED BY JUDGE CONROY.

22 A. YES.

23 Q. AND I ASSUME THAT WITH THE EVIDENCE THAT WAS
24 PRODUCED AT THAT HEARING, HE DID NOT FIND SUFFICIENT
25 EVIDENCE, EVEN FROM WHAT THE POLICE OF THE COMMONWEALTH SAID,

1 TO FIND YOU BOUND OVER FOR COURT ON CRIMINAL CHARGES; IS THAT
2 RIGHT?

3 A. THAT'S CORRECT.

4 Q. IT SEEMS LIKE YOUR LAWYER DID WHAT HE WAS
5 HIRED TO DO.

6 A. NO, NO, NO. ABSOLUTELY NOT. THERE ARE SOME
7 OF THE THINGS THAT I AM AWARE OF THAT HE HAS DONE, BUT IN A
8 CASE OF THIS NATURE, WHAT LAWYER WITH ANY GOOD SENSE WOULD
9 ASK FOR A DEMURRER TO GIVE THE OPPOSITION THIRTY MORE DAYS TO
10 DO MORE INVESTIGATION, AND PREVENT ME --

11 Q. HE ASKED FOR A CONTINUANCE, YOU MEAN?

12 A. NO, HE DID NOT, A DEMURRER. I DON'T KNOW IF
13 I'M PRONOUNCING IT RIGHT.

14 Q. DEMURRER.

15 A. DEMURRER, IS THAT WHAT IT IS? THAT GIVES THE
16 OPPOSITION THIRTY DAYS TO DO MORE INVESTIGATION INTO THE
17 CASE, AND IT PREVENTS ME DURING THESE THIRTY DAYS FROM TAKING
18 ANY LEGAL ACTION.

19 NOW, WHAT LAWYER IN HIS GOOD SENSE WOULD ASK
20 FOR THAT AT THE CONCLUSION OF A CASE? THIS IS WHY I AM
21 SAYING A COMPETENT LAWYER JUST BECAME INCOMPETENT.

22 (PAUSE.)

23 Q. WELL, SOME OF US ARE COMPETENT, BUT ARE NOT
24 COMPETENT EVERY DAY.

25 A. BUT I WISH HE WAS ON THAT DAY.

1 Q. REVEREND, I HAVE BEEN READING OVER THE
2 ACCOUNTS OF YOUR INCIDENT AROUND THAT TIME IN AUGUST OF 1972,
3 AND OF COURSE I REMEMBER VERY, VERY WELL THAT WHEN IT WAS
4 PUBLICIZED IT CAUSED GREAT CONCERN THROUGHOUT THE
5 PHILADELPHIA COMMUNITY.

6 JUST LET ME NOTE ONE ARTICLE, WHERE IT NOT
7 ONLY REFERRED TO YOUR INCIDENT, BUT IT ALSO REFERRED TO THE
8 ARREST OF REPRESENTATIVE DAVE RICHARDSON ON MAY 12 OF THE
9 SAME YEAR FOR TRYING TO BREAK UP A GANG FIGHT. HE WAS
10 DISMISSED. IT TALKED ALSO ABOUT LARRY CROSS, WHO HANGED
11 HIMSELF WHEN HE WAS REFERRED TO THE 19TH POLICE DISTRICT,
12 WHERE MRS. ARMSTRONG'S SON WAS MISTREATED; AND SOME OTHER
13 ARTICLES BY THE TRIBUNE, WHICH REFERS IN 1972 WITH WHAT
14 APPEARS TO BE A PROBLEM OF VERY, VERY HIGH MAGNITUDE OF
15 POLICE BRUTALITY -- THEY CALLED IT BRUTALITY THEN IN 1972 --
16 OF THIS WIDESPREAD CONCERN ABOUT THAT PROBLEM AT THAT TIME IN
17 1972. AS A MATTER OF FACT, ONE OF THE ARTICLES HERE WHICH
18 YOU HAVE IN YOUR FILE -- IT OCCURRED IN THE TRIBUNE ON AUGUST
19 12, 1972. IT INDICATES THAT RIZZO BLAMES KIRKLAND FOR COPS'
20 ATTACK. OF COURSE, YOUR CASE WAS DISMISSED, RIGHT, SO THAT
21 TURNED OUT TO BE ABSOLUTELY FALSE.

22 A. YES, IT WAS FALSE BUT BEYOND THAT RIZZO EVEN
23 ACCUSED ME FOR THE RIOTS OF 1964, OF ENCOURAGING THE PEOPLE
24 TO COME BACK INTO THE STREETS. I WASN'T EVEN ON COLUMBIA
25 AVENUE THAT NIGHT, AND I HAVE NEVER HAD A PERSONAL WORD WITH

1 RIZZO. THE MAN IS JUST A LIAR, THAT'S ALL.

2 Q. AT THAT TIME HE WAS THE POLICE COMMISSIONER
3 IN THE CITY TOO. NO, HE WAS THE MAYOR --

4 A. NO, HE WAS THE MAYOR. THEY REFERRED BACK TO
5 1964 WHEN HE WAS THE COMMISSIONER.

6 Q. OKAY.

7 A. THE MAN DOES IT, THE MAN WALKS INTO THIS
8 ROOM NOW HE WOULD NOT KNOW ME. I HAVE NEVER SAID A WORD TO
9 HIM IN MY LIFE. HE HAS NEVER SEEN ME.

10 Q. WHY DO YOU THINK, BOTH A MAYOR AND FORMER
11 POLICE COMMISSIONER, IN A QUESTION INVOLVING A POLICE ATTACK
12 WAGED AGAINST A MINISTER, WHY WOULD HE TAKE TIME TO SAY THAT?

13 A. WELL, THE MAYOR IS A RACIST. I GREW UP IN
14 SOUTH PHILADELPHIA, AND WHEN THE MAN WAS A POLICE OFFICER AT
15 12TH AND PINE, HE WAS BETTER KNOWN AS THE "CISCO KID" WHERE
16 HE SPENT ALL OF HIS TIME KICKING IN BLACK PEOPLES' DOORS, AND
17 ARRESTING BLACK PEOPLE FOR A LITTLE BOOTLEGGING AND WRITING
18 NUMBERS, THAT SORT OF THING.

19 Q. SUPPOSE YOU HAD BEEN A NON-BLACK MINISTER,
20 WOULD THE SAME THING HAPPEN TO YOU?

21 A. OH, ABSOLUTELY NOT. NO WAY.

22 WHAT HAPPENED TO THE POLICE OFFICERS, THEY
23 WERE SURPRISED TO FIND A MINISTER LIVING IN A SECOND FLOOR
24 APARTMENT AT 19TH AND FEDERAL, AND WHEN THEY SAW A WHITE GIRL
25 UP THERE, THEY KNEW SHE HAD TO BE A PROSTITUTE ON A FRIDAY

1 NIGHT.

2 Q. REVEREND, DO YOU MEAN TO SAY THAT YOUR
3 EXPERIENCE AS A MINISTER, AS A CITIZEN, INDICATES THAT IF A
4 BLACK, MALE MINISTER, WHAT HAVE YOU, AND A WHITE FEMALE WOULD
5 BE TOGETHER AT 19TH AND FEDERAL, THAT THE POLICE OFFICERS
6 WOULD CONSIDER HER A PROSTITUTE?

7 A. I HAVE EXPERIENCED IT BEFORE. FOR THREE OR
8 FOUR YEARS, I HAD EXCHANGE STUDENTS COME INTO MY HOME AND TO
9 MY CHURCH FROM ALL OVER THE WORLD -- BRAZIL, NORWAY, FINLAND.

10 Q. WELL, ISN'T THERE SOMETHING WRONG WITH THAT
11 KIND OF THINKING?

12 A. NO. THEY GOT THEIR GESTAPO. YOU KNOW,
13 LITTLE KIDS FROM GERMANY -- 17 YEARS OLD, CAN'T EVEN SPEAK
14 ENGLISH, AND THE COPS STOP HER FROM WALKING DOWN THE STREET
15 IN A BLACK NEIGHBORHOOD.

16 I TELL IT TO THE POLICE CAPTAIN, I THINK
17 THAT WAS CAPTAIN LACEY. HIS RESPONSE WAS, 'REVEREND, IF
18 WHITE PEOPLE ARE GOING TO BE AT YOUR HOUSE FOR ANY LENGTH OF
19 TIME, YOU OUGHT TO COME TELL ME, SO I CAN ADVISE THE
20 POLICEMEN.' I SAID, 'MAN, I LIVE IN AMERICA AND I DON'T HAVE
21 TO TELL YOU WHO IS COMING TO VISIT ME.'

22 Q. YOU KNOW SPEAKING OF IT NOW I GUESS IT IS
23 AMUSING, BUT I GUESS THE REASON I AM ASKING YOU THESE KINDS
24 OF QUESTIONS, REVEREND, IS THAT WE ARE TOLD THAT WE ARE IN
25 AMERICA --

1 A. RIGHT.

2 Q. AND IF WHAT YOU ARE SUGGESTING HAPPENS IS
3 LIKE TOTALLY FOREIGN TO THE AMERICAN SYSTEM, AND IT'S VERY
4 SERIOUS IF THAT'S TRUE. YOU ARE SAYING THAT YOUR OPINION IN
5 THOSE CIRCUMSTANCES IS: THAT WAS TRUE. IS THAT WHAT YOU ARE
6 SAYING?

7 A. THAT IS WHAT I AM SAYING.

8 Q. HOW LONG HAVE YOU BEEN A MINISTER?

9 A. THIRY YEARS -- I'M SORRY, THIRTY-ONE.

10 Q. ALSO IN 1972 AROUND THE SAME TIME, AN
11 EDITORIAL FROM THE SAME TRIBUNE NEWSPAPER SAYS ALL BLACK
12 POLITICIANS MUST HELP CURB POLICE BRUTALITY DURING THAT TIME.

13 MY POINT IS THAT FROM THE NEWSPAPER ACCOUNTS
14 THAT YOU HAVE, IT SEEMS AS THOUGH THE PROBLEM THAT WE ARE
15 TALKING ABOUT NOW ALSO EXISTED IN SOME SERIOUS CIRCUMSTANCES
16 THEN.

17 NOW, WOULD THAT BE YOUR JUDGMENT?

18 A. THAT WHAT WAS HAPPENING THEN ALSO IS
19 OCCURRING NOW?

20 Q. THAT IS, WHAT IS ALLEGEDLY OCCURING NOW ALSO
21 WAS A SERIOUS PROBLEM THEN.

22 A. YES.

23 Q. DO YOU THINK SINCE THAT TIME IT HAS BEEN
24 INTERRUPTED IN ANY SUBSTANTIAL WAY?

25 A. NO, IT HAS GOTTEN WORSE.

1 Q. NOW, JUST FOR OUR RECORD, THE PHILADELPHIA
2 TRIBUNE IS A PHILADELPHIA NEWSPAPER OF RATHER WIDE
3 CIRCULATION; IS THAT CORRECT?

4 A. IT'S A BLACK PAPER, RATHER GOOD CIRCULATION,
5 YES.

6 Q. AND THERE IS ALSO AN ARTICLE IN THE
7 PHILADELPHIA DAILY NEWS, AND ONE IN THE PHILADELPHIA INQUIRER,
8 RUNNING AT THE SAME TIME, ALL SPEAKING OF THE PROBLEM, THE
9 SAME PROBLEMS.

10 ARE THEY ALL DAILY PAPERS IN THE CITY OF
11 PHILADELPHIA?

12 A. YES, THEY ARE.

13 Q. REVEREND, JUST ONE FINAL QUESTION. THESE
14 THREE CHARGES THAT WERE FILED AGAINST YOU, YOU ALSO SAID IN
15 YOUR TESTIMONY THAT THERE WERE THREE VERSIONS AS TO WHAT YOU
16 DID.

17 ONE OFFICER SAID YOU THREW BOTTLES, ONE
18 OFFICER SAID YOU THREW OBJECTS, AND ANOTHER OFFICER SAID YOU
19 DID SOMETHING TO INCITE THE PEOPLE; IS THAT CORRECT?

20 A. THAT'S CORRECT.

21 Q. YOU ARE SUGGESTING OR STATING THAT THE
22 OFFICERS BY SAYING THAT LIED UNDER OATH?

23 A. YES, THEY DID. THEY WERE GIVEN THIS AS THE
24 REASON FOR COMING INTO MY HOME.

25 Q. I UNDERSTAND THAT, BUT YOU ARE SAYING THAT

1 WAS NOT TRUE, THAT THEIR TESTIMONY WAS FALSE?

2 A. ABSOLUTELY FALSE.

3 Q. DO YOU HAVE ANY OPINION AS TO WHY THEY WOULD
4 COME AND FALSELY TESTIFY TO SUPPORT THE CHARGES AGAINST YOU?

5 A. TO SAVE THEMSELVES. YOU KNOW, WHAT POLICE
6 OFFICER IS GOING TO SAY, 'A MAN HOLLERED OUT THE WINDOW AT
7 ME. I BROKE DOWN HIS FRONT DOOR AND WENT UPSTAIRS AND HIT
8 HIM WITH MY CLUB.' THEY'RE NOT GOING TO SAY THIS, SO THEY
9 HAVE TO GET A REASON FOR KNOCKING DOWN MY FRONT DOOR.

10 Q. BUT THEY ARE SWORN TO UPHOLD THE LAW.

11 A. OH, THEY ARE SWORN TO UPHOLD IT, THEY DO
12 UPHOLD IT.

13 Q. NOW, WHAT I MEAN IS THAT WHATEVER HAPPENED
14 ON THE STREET IS ONE THING, BUT TO COME IN AND SWEAR IS
15 ANOTHER THING.

16 DO YOU HAVE ANY EXPERIENCES AS TO WHETHER OR
17 NOT MISSTATEMENTS AS TO SITUATIONS LIKE THIS, WHETHER OR NOT
18 THAT IS WIDESPREAD? DO YOU HAVE ANY OPINION OR WOULD YOU
19 HAVE ANY BASIS FOR AN OPINION?

20 A. I DON'T KNOW WHAT TO SAY.

21 CHAIRMAN RHODES: WOULD YOU ASK YOUR QUESTION
22 AGAIN?

23 REPRESENTATIVE WILLIAMS:

24 Q. YOU ARE SAYING IN YOUR CASE RIZZO LIED --

25 A. YES.

1 Q. -- ON YOU TO SUSTAIN CRIMINAL CHARGES.
2 MAYBE YOU DON'T KNOW ABOUT ANY OTHER CASES LIKE THAT, AND I
3 AM NOT ASKING YOU TO SAY --

4 A. OH, THEY WOULD LIE ANY TIME. I DON'T KNOW
5 OF ANY BUT I HAVE, YOU KNOW, SEEN MYSELF -- IT'S COMMON
6 KNOWLEDGE.

7 Q. OKAY. YOU BASE IT ON--

8 A. COMMON KNOWLEDGE.

9 Q. -- COMMON KNOWLEDGE AND YOUR EXPERIENCE FROM
10 OTHER THINGS THAT OCCURRED?

11 A. YES.

12 REPRESENTATIVE WILLIAMS: ALL RIGHT. THANK YOU
13 VERY MUCH.

14 CHAIRMAN RHODES: THANK YOU REPRESENTATIVE
15 WILLIAMS.

16 REPRESENTATIVE WHITE, DO YOU HAVE ANY
17 QUESTIONS?

18 REPRESENTATIVE WHITE: YES, I DO.

19 REPRESENTATIVE WHITE:

20 Q. REVEREND KIRKLAND, I MAY BE THE YOUNGEST
21 MEMBER OF THIS COMMITTEE, BUT I WAS ACTIVE IN UNION BAPTIST
22 CHURCH AT THE TIME THAT THIS PARTICULAR INCIDENT TOOK PLACE.
23 BUT ONCE AGAIN I DON'T WANT TO DWELL ON WHAT HAPPENED IN
24 1972.

25 I KNOW THAT YOU ARE A BAPTIST MINISTER, AND

1 I AM CURIOUS AS TO THE KINDS OF EXPERIENCES THAT YOU HAVE HAD
2 WITH MEMBERS OF YOUR CONGREGATION AND SO FORTH WITH REGARD TO
3 THEIR ATTITUDE TOWARDS THE POLICE. WITH THAT IN MIND, I
4 WOULD LIKE TO GET SOME PRELIMINARY THINGS AGAIN JUST FOR THE
5 RECORD.

6 HOW LARGE IS THE CONGREGATION THAT YOU
7 PASTOR?

8 A. ABOUT 700.

9 Q. DO YOU PROVIDE PASTORAL COUNSELING?

10 A. YES, I DO.

11 Q. TO THE MEMBERS OF YOUR CHURCH?

12 A. YES, I DO.

13 Q. TO THE SAME FAMILY OF THE CHURCH?

14 A. YES.

15 Q. IN PROVIDING THAT COUNSELING, HAVE YOU EVER
16 HAD AN OPPORTUNITY TO ENCOUNTER INDIVIDUALS WHO HAVE HAD
17 NEGATIVE EXPERIENCES WITH LAW ENFORCEMENT, THE POLICE IN
18 PHILADELPHIA?

19 A. NOT THROUGH COUNSELING, JUST THROUGH SIGHT
20 WITHIN THE COMMUNITY.

21 Q. JUST WITH SIGHT?

22 A. YES.

23 Q. DID ANY MEMBERS OF YOUR CONGREGATION EVER
24 COME TO YOU WITH THESE STORIES --

25 A. NO.

1 Q. -- ABOUT POLICE BRUTALITY?

2 A. NO, THEY HAVEN'T.

3 Q. NO. FROM WHAT YOU HAVE BEEN ABLE TO OBSERVE
4 IN THE SOUTH PHILADELPHIA COMMUNITY WHERE YOU ARE ACTIVE,
5 WHAT WOULD YOU SAY WAS THE GENERAL ATTITUDE OF THE COMMUNITY
6 TOWARDS THE POLICE?

7 A. OH, THE COMMUNITY DISTRUSTED, TOTALLY
8 DISTRUSTED THEM, AND THEY LOOK UPON THE POLICE AS NOT THEIR
9 PROTECTORS BUT AS THEIR OPPRESSORS.

10 Q. WHY DO YOU THINK PEOPLE FEEL THAT WAY?

11 A. NUMBER ONE, BY THE WAY IN WHICH THEY USE
12 THEIR SIRENS IN BLACK NEIGHBORHOODS. AS SOON AS THEY GET TO
13 THE ITALIAN COMMUNITY, THE SCREAMS OF THE SIRENS AND LIGHTS
14 GO OFF. YOU SEE, DICKINSON STREET WHERE OUR CHURCH IS IS
15 ONLY SIX BLOCKS, ONLY FIVE BLOCKS FROM THE ITALIAN COMMUNITY.
16 THOSE CARS CAN GO DOWN FIVE BLOCKS, THE LIGHTS GO OFF, THE
17 SIRENS GO OFF.

18 Q. ARE YOU SAYING THAT THE POLICE CONDUCT --

19 A. YES.

20 Q. -- IN THE BLACK COMMUNITIES DIFFERS?

21 A. FROM THAT OF THE WHITE.

22 Q. FROM THAT OF THE WHITE.

23 NOW, CORRECT ME IF I AM WRONG; YOU LIVE IN
24 THE 17TH POLICE DISTRICT.

25 A. YES, I DO.

1 Q. THE ITALIAN COMMUNITY IS ALSO COVERED BY THE
2 17TH POLICE DISTRICT?

3 A. YES, IT IS.

4 Q. THAT DISTRICT, HOWEVER, IS PRETTY MUCH
5 SEGREGATED, ISN'T IT, --

6 A. TOTALLY SEGREGATED.

7 Q. -- THE NORTHERN PARTS?

8 A. TOTALLY SEGREGATED.

9 Q. IT'S TOTALLY SEGREGATED?

10 A. YES.

11 Q. AND THE DIFFERENCE, THERE IS A VAST
12 DIFFERENCE BETWEEN THE KIND OF POLICE IN THE BLACK SECTIONS
13 OF THE 17TH POLICE DISTRICT AS OPPOSED TO THE WHITE.

14 A. RIGHT.

15 Q. IS THERE ANYTHING ELSE OTHER THAN THE SIRENS
16 AND THE LIGHTS THAT WOULD CAUSE PEOPLE, WHOM YOU COME IN
17 CONTACT WITH --

18 A. OH, THE NUMBER, THE NUMBER OF BLACKS THAT
19 THEY STOP ON THE STREET EACH DAY. THE NUMBER OF TEENAGERS
20 THEY JUST PULL UP AND SAY, 'COME OVER HERE, SPREAD-EAGLE.'
21 THIS IS THEIR DAILY ROUTINE, FOR NO REASON EXCEPT A KID IS
22 WALKING DOWN THE STREET. THIS COULD BE SEEN ON A DAILY
23 BASIS.

24 Q. ARE YOU ACTIVE IN A MINISTERS' CONFERENCE
25 HERE IN PHILADELPHIA.

1 A. NO, I'M NOT.

2 REPRESENTATIVE WHITE: THANK YOU VERY MUCH.

3 CHAIRMAN RHODES: THANK YOU REPRESENTATIVE

4 WHITE. REPRESENTATIVE RICHARDSON.

5 REPRESENTATIVE RICHARDSON:

6 Q. REVEREND KIRKLAND, I HAVE JUST BEEN READING
7 YOUR NEWSPAPER CLIPPINGS OF THE INCIDENTS THAT YOU TESTIFIED
8 ON BEFORE THIS COMMITTEE.

9 I HAVE JUST RECENTLY RUN INTO SOME OF THE
10 ACCOUNTS OF INCIDENTS THAT OCCURRED DURING THAT PERIOD OF
11 TIME, AND I WANT TO ASK YOU FOR THE RECORD, WILL YOU TALK A
12 LITTLE ABOUT WHAT WAS DONE IN RELATION TO THE VIOLENT ACTS
13 THAT WERE TAKEN AGAINST YOU, THAT IS, IN THE COMMUNITY WITH
14 LOCAL LEADERS, LOCAL POLITICIANS, AS A RESULT OF THE PROBLEM
15 THAT OCCURRED TO YOU, A MEMBER OF THE CLOTH.

16 A. DURING THIS PERIOD, SOME MINISTERS OF THE
17 CITY HAD MEETINGS, AND REQUESTED OF THE CITY THAT THE
18 POLICEMEN INVOLVED WOULD BE FIRED; AND THERE WAS ANOTHER
19 MEETING HELD IN THE WEST PHILADELPHIA AREA IN RELATION TO THE
20 CROSS FELLOW --

21 Q. LARRY CROSS.

22 A. -- WHO HAD JUST BEEN HANGED IN THE POLICE
23 STATION.

24 REPRESENTATIVE WHITE: MR. CHAIRMAN, LET THE
25 RECORD SHOW THAT WE ARE REFERRING TO LARRY CROSS.

1 A. LARRY CROSS, YES. THE TWO BOYS --

2 REPRESENTATIVE WIGGINS: WOULD YOU REPEAT THAT
3 STATEMENT PLEASE, YOUR LAST STATEMENT?

4 A. THAT A MEETING WAS HELD IN A CHURCH IN WEST
5 PHILADELPHIA; I THINK IT WAS WHITE ROCK BAPTIST CHURCH.

6 REPRESENTATIVE WIGGINS: RELATIVE TO?

7 A. RELATIVE TO LARRY CROSS AND MYSELF.

8 REPRESENTATIVE WIGGINS: DIDN'T YOU SAY LARRY
9 CROSS HANGED HIMSELF?

10 A. YES, THE FELLOW WHO HANGED HIMSELF.

11 REPRESENTATIVE WIGGINS: OKAY, FINE. I JUST
12 WANTED TO MAKE SURE I HEARD THAT.

13 CHAIRMAN RHODES: IT'S ON THE RECORD,
14 REPRESENTATIVE WIGGINS.

15 A. OH, YES.

16 REPRESENTATIVE WIGGINS: OKAY. I DIDN'T HEAR
17 IT, SIR.

18 CHAIRMAN RHODES: CAN WE SUSPEND FOR A MOMENT?

19 YOU MAY PROCEED, REPRESENTATIVE RICHARDSON.

20 REPRESENTATIVE RICHARDSON: WILL YOU TAKE A
21 LOOK AT THE SPEAKER, IS THE MICROPHONE TURNED UP?

22 REPRESENTATIVE RICHARDSON:

23 Q. WILL YOU GO ON, REVEREND.

24 A. YES. THERE WAS ALSO ANOTHER MEETING HELD IN
25 THE WEST PHILADELPHIA COMMUNITY CONCERNING LARRY CROSS AND

1 MYSELF. I WAS NOT AT THESE MEETINGS, I THINK DURING THAT
2 PERIOD I WAS STILL IN THE HOSPITAL.

3 Q. THE MEETINGS WERE HELD IN YOUR BEHALF,
4 HOWEVER, --

5 A. YES, THEY WERE.

6 Q. -- CONCERNING THIS PROBLEM.

7 IF YOU WERE TO GIVE SOME INSIGHT TO THIS
8 COMMITTEE AS A PERSON WHO IS FROM PHILADELPHIA, A PERSON WHO
9 HAS LIVED HERE AND WHO ALSO REPRESENTS A CONSTITUENCY; WHAT
10 WOULD YOU SAY IS THE BASIC ATTITUDE TOWARDS THE CITIZENRY HERE
11 IN THE CITY BY THE POLICE?

12 A. BY THE POLICE? IT DEPENDS UPON THE COLOR OF
13 THE CITIZEN'S SKIN. IF ITS WHITE, HE'S ALL RIGHT; AND IF ITS
14 BLACK, SHAME ON YOU.

15 IF YOU NOTICE, THE WHITES TRAVEL IN TWO'S IN
16 THOSE BLUE CARS. VERY SELDOM DO YOU SEE A WHITE AND A BLACK
17 TRAVELING TOGETHER. THEY HAD THIS PROBLEM BACK IN 1940, TO
18 TRY AND MIX UP THE CARS. VERY RARELY, EVEN IN THE COMMUNITY
19 IN WHICH I LIVE, DO YOU SEE A BLACK POLICEMAN UNFIL THINGS
20 GET HOT, THEN THEY SEND UP A FEW OUR WAY JUST TO MIX IT UP
21 FOR AWHILE.

22 WE HAVE WHITE POLICEMEN STATIONED IN THE
23 SOUTH PHILADELPHIA COMMUNITY JUST TO KEEP BLACK CHILDREN OUT
24 OF THE CITY PLAYGROUNDS. THEY ARE THERE 24 HOURS A DAY.

25 Q. WOULD YOU TELL US THE NAME OF THAT

1 PLAYGROUND FOR THE RECORD?

2 A. THE NAME -- THE LOCATION IS 31ST AND TASKER,
3 THE NAME, I CANNOT RECALL RIGHT NOW.

4 Q. TASKER HOMES?

5 A. NO, IT IS NOT TASKER HOMES.

6 Q. TASKER PLAYGROUND?

7 A. I DON'T KNOW WHAT THE NAME OF THE PLAYGROUND
8 IS, BUT IT'S AT 31ST AND TASKER --THERE IS A BLOCK SQUARE
9 PLAYGROUND. WHITE POLICE OFFICERS ARE STATIONED THERE AROUND
10 THE CLOCK. AND A BLACK CHILD WILL TAKE HIS LIFE IN HIS OWN
11 HANDS TO GO THROUGH A CITY PLAYGROUND.

12 Q. IN FACT ISN'T IT TRUE, IF THE CHILD GOES
13 INTO THAT PLAYGROUND, IT IS CERTAIN THAT HE MIGHT NOT COME
14 OUT OF THAT PLAYGROUND?

15 A. MIGHT NOT COME OUT, CORRECT. AND THE POLICE
16 OFFICER WOULD WAIT FOR HIM.

17 WITHIN THAT SAME COMMUNITY I SAW ONE EVENING
18 AS I WAS DRIVING HOME, TWO WHITE OFFICERS WITH A BLACK MAN ON
19 THE GROUND, AND A WHITE NEIGHBOR SITTING AROUND. THE FIRST
20 OFFICER SAID TO THE BLACK MAN, 'YOU REMEMBER MY WHITE FACE,
21 BOY'; AND THE OTHER ONE SAID TO HIM, 'YOU REMEMBER MY BLUE
22 EYES.' WHEN I SAW IT, I IMMEDIATELY CALLED CLARENCE FARMER TO
23 ADVISE HIM OF THE SITUATION THAT EXISTED.

24 Q. AND WHAT DID HE DO AS A RESULT OF THAT?

25 A. I RESERVE COMMENT, OKAY?

1 Q. OKAY.

2 YOU TESTIFIED THAT THE POLICE LIED IN YOUR
3 CASE. DO YOU FEEL THAT THAT'S A PRACTICE HERE IN THE CITY OF
4 PHILADELPHIA, THAT POLICEMEN LIE?

5 A. YES, I KNOW THEY'RE NOTORIOUS LIARS.

6 Q. ON WHAT DO YOU BASE THAT?

7 A. LET ME TELL YOU SOMETHING THAT HAPPENED TO
8 ME THE OTHER DAY. I HAVE A LOT ON THE NORTHEAST CORNER OF
9 19TH AND FEDERAL. A FEW WEEKS AGO I HAD MY CAR PARKED UP
10 THERE FOR THE NIGHT. I GOT A TICKET. I TOOK IT TO THE
11 POLICE STATION TO ADVISE THEM THAT WAS MY LOT AND THAT WAS MY
12 CAR AND THAT I HAD A RIGHT TO PARK THERE. WHEN I GOT THE
13 NOTICE FROM TRAFFIC COURT THE CHARGE WAS CHANGED FROM -- THEY
14 CHARGED ME "PARKING ON THE CURB" WHEN I PARKED ON THE LOT.
15 WHEN I GOT MY NOTICE FROM TRAFFIC COURT, IT SAID I WAS PARKED
16 TOO CLOSE TO THE FIRE HYDRANT. MY CAR WAS ON THE EAST SIDE
17 OF THE STREET, THE FIRE HYDRANT ON THE LEFT SIDE OF THE
18 STREET. LITTLE THINGS LIKE THESE THEY'LL LIE ABOUT.

19 Q. DO YOU KNOW OF OTHER MINISTERS IN THIS TOWN
20 WHO HAVE MET WITH THE KIND OF TRAGIC ORDEALS THAT YOU HAVE
21 FACED?

22 CHAIRMAN RHODES: SUSPEND FOR A MOMENT,
23 REPRESENTATIVE.

24 YOU MAY PROCEED.

25 A. OFFHAND, NO.

1 Q. DO YOU KNOW OF ANYONE WHO HAS TOLD YOU OF
2 ANY MINISTERS BEING BEATEN IN THE CITY BY THE POLICE?

3 A. NOT THAT I KNOW OF.

4 Q. NOT THAT YOU KNOW OF.

5 HAS THERE EVER BEEN AN ATTEMPT BY YOU AND A
6 GROUP OF MINISTERS OR BY YOURSELF TO VISIT THE POLICE
7 COMMISSIONER AT THAT TIME OR PRESENTLY CONCERNING THESE
8 PROBLEMS IN THE CITY OF PHILADELPHIA, ABOUT THESE PROBLEMS?

9 A. NO, BECAUSE I BELIEVE IT WOULD BE A TOTAL
10 WASTE OF TIME.

11 Q. WHAT DO YOU SEE IN THIS CITY AS BEING THE
12 PROCEDURE THAT IS FOLLOWED STEP-BY-STEP WHEN A PERSON IS
13 MISTREATED BY POLICE IN THE CITY OF PHILADELPHIA, WHAT
14 RECOURSE DOES A PERSON HAVE?

15 A. THE ONLY THING I CAN SEE IS WITH THE FEDERAL
16 COURTS. NO LOCAL COURTS AT ALL.

17 Q. DID YOU FILE A POLICE COMPLAINT?

18 A. NO, I DID NOT. I FELT IT WOULD BE A WASTE
19 OF MY TIME AND TO NO AVAIL. THIS IS WHAT THEY EXPECTED ME TO
20 DO, AND NEVER DO WHAT THE MAN EXPECTS YOU TO DO.

21 THEY SENT A LOT OF OLDSTERS TO THE HOSPITAL.
22 THE CAPTAIN OF THE POLICE STATION CAME DOWN THERE, A COUPLE
23 OF PEOPLE, SOME OF THEM, REQUESTED AN INTERVIEW WITH O'NEILL,
24 AND THIS SORT OF THING.

25 BUT YOU HAVE TO DO THINGS IN YOUR OWN WAY,

1 SO THAT IT WON'T JUST AFFECT YOU, BUT THAT IT WILL BE ABLE TO
2 AFFECT YOUR ENTIRE COMMUNITY.

3 Q. WOULD YOU SAY THAT THE POLICE OFFICERS KNEW
4 WHO YOU WERE?

5 A. ONE DID, THE OTHERS DID NOT. ONE POLICE
6 OFFICER MADE THE STATEMENT, 'ASK THE REVEREND.'

7 Q. AND THAT DID NOT MEAN ANYTHING TO YOU?

8 A. OH, ABSOLUTELY NOT. THEY WERE RAVING
9 MANIACS SEE, THEY BECOME SADISTIC. WHEN YOU ARE SADISTIC AND
10 RACIST, YOU ARE NOT A GOOD MAN. AND THESE FELLOWS ARE RACIST
11 AND SADISTIC.

12 Q. DO YOU THINK THEN BASED ON THAT STATEMENT,
13 THAT THERE IS A SYSTEMATIC APPROACH IN THE CITY OF
14 PHILADELPHIA, TO TRY AND TEAR DOWN THE KIND OF MASCULINITY OF
15 BLACK MALES HERE IN THE CITY AS A RESULT?

16 A. I DON'T KNOW IF IT'S SO MUCH THAT AS IT IS,
17 FIRST OF ALL, ECONOMICS. NONE OF US HAVE EVER LOOKED AT THE
18 JAIL SYSTEM AS BEING A FACTOR OF THE ECONOMIC STRUCTURE OF
19 PHILADELPHIA. IF THERE ARE A LOT OF PEOPLE GOING TO JAIL, AN
20 ECONOMIC FACTOR WOULD BE RESOLVED, SO THEY GET THE BLACK MALE
21 TO SUPPLY THE ECONOMIC FACTOR OF THE JAIL SYSTEM. THIS IS
22 ONE BEEF THAT I HAVE ON THAT.

23 REPRESENTATIVE RICHARDSON: REVEREND, THE
24 CHAIRMAN SAID WE HAVE TO MOVE ON.

25 A. YES, THANK YOU. I HAVE NO FURTHER COMMENT.

1 REPRESENTATIVE RICHARDSON: WELL, PERHAPS AT A
2 LATER DATE YOU CAN RETURN TO TESTIFY. I THINK THE
3 INFORMATION WE ARE TRYING TO GET IS VERY IMPORTANT, REVEREND,
4 AND I DON'T WANT TO --

5 A. WHAT I WOULD LIKE TO DO, IF THE COMMITTEE
6 DOESN'T MIND, I WANT TO DO IT TODAY BECAUSE I GOT ALL THIS
7 MATERIAL TOGETHER COLLATED -- NAMES, DATES, PLACES. I CAN
8 GET THEM MADE, MIMEOGRAPHED FOR YOU.

9 CHAIRMAN RHODES: WILL YOU DO THAT FOR THE
10 COMMITTEE?

11 A. I WOULD BE GLAD TO DO THAT, AND IF THERE ARE
12 SOME OTHER PARTS, OTHER QUESTIONS THAT YOU WANT TO GO IN, I
13 WOULD BE GLAD TO ANSWER THEM.

14 CHAIRMAN RHODES: THANK YOU, REVEREND
15 KIRKLAND.

16 AND IN ADDITION, IF YOU CAN GIVE ME THE
17 NAMES OF INDIVIDUALS WHO YOU KNOW PERSONALLY, WHO HAVE HAD
18 PERSONAL EXPERIENCES, NOT HEARSAY, BUT PERSONAL EXPERIENCES
19 WHO WOULD LIKE TO COME FORWARD AND TESTIFY TO OUR
20 SUBCOMMITTEE WHILE WE ARE HERE, PLEASE GIVE THEM THE MESSAGE.

21 A. I CERTAINLY WILL.

22 REPRESENTATIVE WILLIAMS: REVEREND KIRKLAND, I
23 HAVE ONE FINAL QUESTION BEFORE YOU GO.

24 WE WERE TALKING ABOUT MINISTERS, WHITE AND
25 BLACK, AND I JUST LOOKED THROUGH A DAILY NEWS ARTICLE OF

1 1973, INDICATING A SHOOTING BY POLICE OF A REVEREND SILINS, A
2 WHITE MINISTER OF THE LATVIAN LUTHERAN CHURCH, SIR.

3 MR. BRASWELL: THE FELLOW DIDN'T TESTIFY YET.

4 CHAIRMAN RHODES: THANK YOU AGAIN, REVEREND
5 KIRKLAND.

6 (WITNESS EXCUSED.)

7 I WOULD LIKE TO CALL OUR FINAL SCHEDULED
8 WITNESS FOR TODAY BEFORE WE HAVE ON OTHER WITNESSES FROM THE
9 AUDIENCE. IS MRS. SANDRA MOORE HERE? IS MISS OR MRS. SANDRA
10 MOORE IN THE ROOM?

11 (PAUSE.)

12 WE ARE TRYING TO LOCATE MRS. MOORE. IN THE
13 MEANTIME WE WILL TAKE MR SABOOR MUHAMMAD.

14 (PAUSE.)

15 MR. MUHAMMAD: OKAY, I JUST WANT TO BE BRIEF.
16 I REALLY HAVE TO GO TO --

17 CHAIRMAN RHODES: WILL YOU HOLD IT.

18 MR. MUHAMMAD: YES, SIR.

19 CHAIRMAN RHODES: BEFORE I PROCEED, I WOULD
20 LIKE TO DIVULGE TO THE MEMBERS OF THIS SUBCOMMITTEE THE
21 PRESENCE OF REPRESENTATIVE JAMES BARBER OF PHILADELPHIA
22 COUNTY, DISTINGUISHED MEMBER OF THE HOUSE.

23 MR. MUHAMMAD, DO YOU ACKNOWLEDGE THAT YOU
24 HAVE IN YOUR POSSESSION A SUBPOENA TO APPEAR BEFORE THIS
25 SUBCOMMITTEE?

1 MR. MUHAMMAD: YES, SIR.

2 ----

3 ABDUL SABOOR MUHAMMAD, SWORN.

4 CHAIRMAN RHODES: YOU MAY PROCEED.

5 A. YES, SIR. I JUST WANTED TO BE BRIEF
6 BECAUSE I DO HAVE TO GO TO WORK. THIS IS ONE OF THE THINGS I
7 WANT TO BRING OUT. A COUPLE OF YEARS AGO, I WAS REALLY OUT
8 ON A PARTICULAR STREET, AND JUST -- AN INCIDENT HAPPENED WHEN
9 I WAS OUT ON THE STREET WITH THE POLICE OFFICERS. WE WAS
10 WALKING DOWN THE STREET, ME AND A COUPLE OF OTHER BROTHERS,
11 WE WERE WALKING DOWN THE STREET, AND THE POLICE CAR PULLED UP
12 TO ME. IT WAS PRETTY LATE, I'LL SAY, AROUND 11 O'CLOCK AT
13 NIGHT; AND THE POLICE CAR PULLED UP ON US, AND THEY JUMPED
14 OUT, AND THERE WAS TWO CAUCASIAN OFFICERS IN THE CAR, AND
15 THEY ACTUALLY ASKED US FOR IDENTIFICATION. SO WE PULLED OUT
16 IDENTIFICATION THAT WE HAD ON US AT THE TIME, AND THEN THEY
17 ACTUALLY ASKED US IF WE HAD ANY MORE IDENTIFICATION. SO WE
18 SAID NO, WE DIDN'T. WELL, THEY WENT TO US INDIVIDUALLY, AND
19 WHEN THEY ASKED ME, I SAID NO, I DIDN'T HAVE ANY MORE
20 IDENTIFICATION, AND ONE OF THEM JUST CAME AND SMACKED ME IN
21 MY FACE, AND SO AT THE TIME, AT THE TIME --

22 CHAIRMAN RHODES: SMACKED YOU IN THE FACE WITH
23 HIS HAND?

24 A. YES, JUST SMACKED ME IN MY FACE WITH HIS
25 HAND. I DIDN'T WEAR GLASSES AT THE TIME.

1 CHAIRMAN RHODES: SLOW DOWN, MR. MUHAMMAD.

2 HE HIT YOU IN THE FACE WITH WHAT, HIS HAND?

3 A. WITH HIS HAND.

4 CHAIRMAN RHODES: WITH HIS FIST OR WITH HIS
5 OPEN HAND?

6 A. AN OPEN HAND.

7 CHAIRMAN RHODES: GO AHEAD.

8 A. AND AT THE TIME I WAS JUST, I WAS JUST SO
9 EMOTIONALLY EXCITED OVER THE MAN, BUT I WAS COOL, I SAID
10 OKAY. I JUST TOOK IT, I SAID NOTHING. I JUST TOOK HIS
11 NUMBER AND HIS NAME, I JUST TOOK BOTH OF THEM, PUT IT INTO MY
12 PARTICULAR MEMORY, AND JUST REMAINED COOL UNTIL AFTER THEY
13 PICKED UP WITH ALL THEIR QUESTIONING, JUST REALLY, JUST NO
14 FOOLISHNESS.

15 CHAIRMAN RHODES: DO YOU RECALL THE OFFICER'S
16 NAME?

17 A. WELL, I'LL LET YOU KNOW IN JUST A FEW
18 SECONDS.

19 AND AT THAT TIME, WHAT HAPPENED WAS, AT THAT
20 TIME AS SOON AS AFTER HE DID IT, AFTER HE LET US GO, HE JUST
21 GO AHEAD AND LET US WALK ON. AS SOON AS I WALKED ON, I JUST
22 IMMEDIATELY WENT TO THE PHONE AND I CALLED MY LAWYER. I TOLD
23 MY LAWYER EXACTLY WHAT HAD HAPPENED, AND THAT I WANTED TO
24 ACTUALLY FILE A COMPLAINT AGAINST THEM, AND WHAT HAPPENED WAS
25 THAT THIS WAS ON A WEEKEND, THIS WAS ON FRIDAY. SO MY LAWYER

1 TOLD ME COME DOWN TO HIS OFFICE ON MONDAY. SO WHEN MONDAY,
2 BY THE TIME MONDAY CAME AROUND, I JUST PICKED UP WITH THIS
3 AND JUST FORGET ABOUT IT. I AM NOT EVEN GOING TO TELL, I AM
4 NOT EVEN GOING TO PUSH IT NO MORE BECAUSE I KNOW EXACTLY HOW
5 THEY ARE, I KNOW THEY DON'T MOVE AND SO I JUST LET IT GO.

6 I AM TELLING THE COMMITTEE THAT WHAT I WANT
7 TO BRING OUT WAS THAT THERE IS A LOT OF LITTLE INCIDENTS LIKE
8 THAT BE GOING ON IN TWO STREET, ESPECIALLY WITH A LOT OF
9 YOUNG BROTHERS ON THE STREET, THAT A LOT OF TIMES WE DON'T
10 ACTUALLY WANT TO PICK UP WITH COMPLAINTS BECAUSE WE FEEL
11 THERE IS NOT ANYTHING ACTUALLY GOING TO BE DONE ABOUT IT, AND
12 THAT WE STILL GOING TO HAVE SUCH ENCOUNTERS THAT WE BEEN
13 HAVING, UH, COMING BACK DOWN FROM THE MAN AND SO FORTH. BUT
14 THAT'S ALL I WANTED TO BRING OUT, JUST THAT PARTICULAR
15 THING.

16 CHAIRMAN RHODES: FIRST OF ALL, MR. MUHAMMAD,
17 DO YOU RECALL THE NAME OF THE OFFICER?

18 A. WELL, NO. NOW, WHAT HAPPENED WAS I JUST
19 WANTED TO WIPE THE WHOLE THING OUT OF MY MIND AT THE TIME,
20 BUT IT WASN'T REALLY WIPED OUT OF MY MIND, I MEAN AS FAR AS
21 THE PHYSICAL THINGS WERE CONCERNED, I WIPED THAT OUT OF MY
22 MIND, BUT THE THOUGHT HAS ALWAYS BEEN IN MY MIND, EXACTLY
23 WHAT HAD HAPPENED TO ME THAT PARTICULAR EVENING. SO FAR AS
24 HIS NUMBER, SO FAR AS HIS NAME, SO FAR AS HIS POLITICAL
25 FAITH, I REALLY DON'T REMEMBER ALL THAT. BUT THE INCIDENT

1 WAS THERE, AND I JUST WANTED TO BRING IT OUT, I THOUGHT IT
2 WOULD BE BENEFICIAL TO YOU.

3 CHAIRMAN RHODES: I WANT TO CLARIFY FOR YOU MR.
4 MUHAMMAD, THAT THIS SUBCOMMITTEE DOES NOT CONSIDER IT A
5 SIMPLE INSIGNIFICANT CASE OF HARASSMENT IF AN OFFICER OF THE
6 LAW COMES UP TO A CITIZEN OF THE COMMONWEALTH, AND SMACKS
7 HIM IN THE FACE WITHOUT REASON, THAT'S NOT A SIMPLE MATTER AT
8 ALL, AND WE DON'T THINK IT'S A SIMPLE OR LIGHT ISSUE AT ALL.

9 ARE THERE ANY QUESTIONS FROM THE
10 SUBCOMMITTEE? IF NOT, THANK YOU VERY MUCH FOR GIVING YOUR
11 TESTIMONY. WE APPRECIATE IT VERY MUCH.

12 IF YOU HAVE FRIENDS OF YOURS IN THE STREETS,
13 OR COLLEAGUES THAT LIKE YOU HAVE HAD SIMILAR INCIDENTS OR
14 EXPERIENCES, PLEASE TELL THEM TO LISTEN TO YOU, AND THAT WE
15 WOULD LIKE TO LISTEN TO THEM, TO HAVE THEM COME FORWARD TO
16 TESTIFY TO US IN THE REMAINING HEARINGS OR WRITE TO US. WE
17 NEED TO HAVE THAT INFORMATION.

18 THANK YOU VERY MUCH, MR. MUHAMMAD.

19 REPRESENTATIVE WIGGINS: MR. CHAIRMAN, MAY I
20 MAKE A STATEMENT --

21 CHAIRMAN RHODES: YES.

22 REPRESENTATIVE WIGGINS: -- TO THE YOUNG MAN,
23 MAY I PLEASE?

24 CHAIRMAN RHODES: REPRESENTATIVE WIGGINS.

25 REPRESENTATIVE WIGGINS: I WOULD LIKE TO

1 CAUTION YOU YOUNG MAN. IN MY 45 YEARS, I HAVE RUN INTO A LOT
2 OF PROBLEMS, AND I WOULD REALLY LIKE TO SAY TO YOU THAT ANY
3 TIME IN THE FUTURE THAT SOMETHING HAPPENS TO YOU,
4 IRREGARDLESS OF WHAT IT MIGHT BE, PURSUE IT TO THE ULTIMATE
5 END.

6 A. YES, SIR.

7 REPRESENTATIVE WIGGINS: OKAY?

8 A. YES, SIR.

9 CHAIRMAN RHODES: THANK YOU, REPRESENTATIVE
10 WIGGINS AND THANK YOU, MR. SABOOR.

11 (WITNESS EXCUSED.)

12 HAVE WE LOCATED MRS. MOORE YET?

13 IS MRS. ESTHER EDWARDS IN THE AUDIENCE?

14 REPRESENTATIVE RICHARDSON: SHE INDICATED TO
15 ME, MR. CHAIRMAN, THAT SHE HAD TO STEP OUT TO ATTEND ANOTHER
16 MEETING, AND THAT SHE WILL RETURN IF THE MEETING IS SUPPOSED
17 TO RUN UNTIL EIGHT.

18 CHAIRMAN RHODES: IS MRS. MARIAN DOCKINS HERE?

19 REPRESENTATIVE RICHARDSON: SHE STEPPED OUT
20 WITH ESTHER EDWARDS. BOTH OF THEM ARE ATTENDING ANOTHER
21 COMMUNITY MEETING. WE HAVE A CITY-WIDE MEETING ABOUT THE
22 MOVE SITUATION THAT HAS TO BE RESOLVED IN THE CITY PRESENTLY,
23 A COURT PROCEEDING GOING ON REGARDING THAT MATTER, MR.
24 CHAIRMAN.

25 CHAIRMAN RHODES: IS MS. LORETTA WILKINSON IN

1 THE AUDIENCE?

2 (PAUSE.)

3 IS THERE ANY MEMBER OF THE AUDIENCE THAT
4 WOULD --

5 (BRIEF INTERRUPTION.)

6 IS JEAN THOMAS HERE?

7 MRS. JEAN THOMAS: HERE.

8 CHAIRMAN RHODES: MRS. THOMAS, DO YOU
9 ACKNOWLEDGE THAT YOU HAVE IN YOUR POSSESSION A SUBPOENA TO
10 APPEAR BEFORE THIS SUBCOMMITTEE?

11 MRS. JEAN THOMAS: YES.

12 ---

13 JEAN THOMAS, SWORN.

14 CHAIRMAN RHODES: WILL YOU STATE YOUR NAME AND
15 ADDRESS FOR THE RECORD?

16 A. JEAN THOMAS, 5024 BROWN STREET.

17 CHAIRMAN RHODES: NOW, WHAT IS THIS INCIDENT
18 THAT YOU WOULD LIKE TO RECOUNT?

19 A. WELL, I WANT TO START WITH THE FIRST
20 INCIDENT THAT I HAD WITH RIZZO, AND IT STARTED IN 1971, WHEN
21 HE WAS RUNNING, AND I WAS A COMMITTEE WOMAN, I WAS LIVING AT
22 3855 MOUNT VERNON STREET, AND AT THAT TIME THE CITY COMMITTEE
23 CAME OUT TO MY HOUSE, AND TOLD ME THAT I COULD NOT HAVE A
24 PICTURE OF HARDY WILLIAMS IN MY HOUSE, SHOWING HIM AS AN
25 ENDORSED CANDIDATE, AND THAT I WOULD BE IN A WORLD OF

1 TROUBLE. AS A RESULT, RIZZO PAID THE GANGS TO SHOOT INTO MY
2 HOUSE IN APRIL OF 1971, AND ALSO IN JUNE OF 1971; AND THESE
3 SAME POLICE TODAY WILL TESTIFY TO THIS FACT. I MOVED THERE
4 FROM JUNE OF 1971.

5 CHAIRMAN RHODES: YOU SAID SHOOTING, SOMEONE
6 FIRED FIREARMS INTO YOUR HOME?

7 A. YES. AND THE POLICE WERE STANDING OUT THERE
8 WHILE THEY WERE SHOOTING IN MY HOUSE, FRONT AND BACK, YES.

9 CHAIRMAN RHODES: HOW DO YOU KNOW THE POLICE
10 WERE THERE WHEN THEY WERE SHOOTING AT YOU?

11 A. I WAS LOOKING RIGHT AT THEM. I WAS ON THE
12 INSIDE OF MY HOUSE.

13 CHAIRMAN RHODES: FINE. GO AHEAD.

14 A. OKAY. AND AS A RESULT, THEY ARRESTED MY
15 DAUGHTER'S BOY FRIEND, AND PUT ALL KINDS OF TRUMPED UP
16 CHARGES ON HIM, AND SENT HIM TO JAIL FOR SOMETHING HE DIDN'T
17 DO.

18 OKAY, MY NEXT ENCOUNTER WAS IN 1973, WHEN
19 THE POLICE SHOT MY DOG. I HAD A BIG BLACK LABRADOR
20 RETRIEVER. HE WAS COMING FROM THE STORE ON BROWN STREET ON A
21 SUNDAY MORNING, THEY WERE GOING EASTBOUND, HE WAS ON THE
22 OTHER SIDE OF THE STREET COMING UP WESTBOUND TO OUR
23 APARTMENT. LINE, THEY JUST JUMPED OUT OF THEIR CAR, WALKED
24 ACROSS THE STREET AND SHOT HIM. HIS REFLEXES, YOU KNOW, THAT
25 IS WHY HE IS LIVING TODAY, YOU KNOW, HE HAS REAL FAST

1 REFLEXES. IT JUST WENT IN HIS EAR AND CAME BACK OUT.

2 CHAIRMAN RHODES: THEY SHOT YOUR DOG?

3 A. YES, THEY DID.

4 CHAIRMAN RHODES: WHEN DID THEY SHOOT YOUR DOG?

5 A. WELL, UH --

6 CHAIRMAN RHODES: WHAT REASON DID THEY GIVE
7 YOU?

8 A. WHAT REASON? HE OFTEN COMES BY AND LINE, HE
9 SHOT HIM AND GOT HIS KICKS, YOU KNOW, THIS OFFICER AT THE
10 19TH DISTRICT.

11 CHAIRMAN RHODES: WHAT'S HIS NAME?

12 A. UH, I HAVE IT AT HOME. I KNOW HIS NAME.

13 Q. IS HE A WHITE OFFICER OR BLACK --

14 A. YES, HE IS.

15 CHAIRMAN RHODES: FROM THE 19TH DISTRICT?

16 A. YES, HE IS. HE IS OUT OF THE 19TH DISTRICT.

17 CHAIRMAN RHODES: COULD YOU GIVE US HIS NAME?

18 A. HIS NAME IS BUCK, THEY CALL HIM BUCK.

19 CHAIRMAN RHODES: THEY CALL HIM BUCK. WAS THAT
20 HIS NAME?

21 A. I DON'T KNOW IF THAT'S HIS NAME OR NOT, BUT
22 THEY CALL HIM BUCK. I WAS SAYING THEY SHOT --

23 CHAIRMAN RHODES: HE SHOT YOUR DOG?

24 A. HE SHOT MY DOG, HE ACTUALLY SHOT HIM. I
25 TOOK HIM TO THE VETERINARIAN HOSPITAL AT THE UNIVERSITY OF

1 PENNSYLVANIA, AND SENT THE BILL TO RIZZO.

2 OKAY, THE NEXT ENCOUNTER WAS FEBRUARY 16,
3 1975, ON A SUNDAY EVENING ABOUT 9:30. THE POLICE BROKE INTO
4 THE FRONT AND BACK OF MY HOUSE. AND SOME OF MY KIDS WAS
5 UPSTAIRS, SOME WAS IN THE BASEMENT, AND TWO FELLOWS WAS
6 SITTING ON THE COUCH, AND THEY RAN DOWN THE BASEMENT. WELL,
7 FIRST OF ALL, THEY SHOT IN THE BACKYARD IN THE WALL -- THE
8 BULLET HOLES ARE STILL THERE. THEY WENT DOWN THE BASEMENT,
9 AND THEY SHOT MY SON IN THE ARM. AND THEN HE WAS TAKEN TO
10 THE HOSPITAL, AFTER COMING IN THE FRONT, YOU KNOW AND PULLING
11 GUNS ON THE TWO FELLOWS THAT WAS SITTING ON MY COUCH.

12 AND PRESBYTERIAN HOSPITAL TOLD ME ABOUT 4
13 O'CLOCK IN THE MORNING, YOU KNOW, TO COME AND GET HIM; AND
14 THEN, READING IN THE PAPER THE NEXT DAY THEY, YOU KNOW,
15 DENIED EVERYTHING.

16 CAPTAIN SMALLS CAME TO THE HOUSE AND SAYS,
17 THE NERVE OF YOU TO SAY THAT MY POLICE OFFICERS DID THIS. I
18 SAID YES, I'M SAYING YOUR POLICE OFFICERS DID IT.

19 AND PRESBYTERIAN HOSPITAL, THE HEAD
20 OFFICIAL, HAD A STATEMENT IN THE PAPER BY THE RESIDENT
21 PHYSICIAN THAT IT WAS NOT A BULLET WOUND. SO I THREATENED TO
22 SUE PRESBYTERIAN HOSPITAL, AND THEY RETRACTED THAT STATEMENT
23 BECAUSE THE DOCTOR THAT HAD TREATED HIM WAS A DR. BROCKWELL,
24 A WOMAN, FEMALE WHITE DOCTOR, NOT THE RESIDENT PHYSICIAN, AND
25 SHE SAID SHE WAS NOT GOING TO JEOPARDIZE HER JOB OF PHYSICIAN

1 FOR LYING, YOU KNOW, FOR THEM. SHE SAID SHE HAD BEEN ASKED
2 TO SAY THIS STATEMENT.

3 AND I DID GET IN THE HOSPITAL TO SEE MY SON.
4 THERE WAS A DETECTIVE O'BRIEN, WHO SAID HE WAS FROM HOMICIDE
5 AND HE WAS AROUND. I TOLD HIM TO GET AWAY FROM MY SON, I
6 SAID YOU DONE ENOUGH TO HIM. HE SAID I DIDN'T DO IT. AND I
7 SAID WELL, ONE OF YOU DID IT. SO I WENT TO THE HOSPITAL AND
8 GOT HIM AND HE NEVER, YOU KNOW, EVEN WENT TO THE POLICE
9 STATION.

10 AND LATER ON THEY MADE STATEMENTS THAT THEY
11 HAD GOT THE WRONG HOUSE, YOU KNOW, AND ALL THIS. I SAID
12 WELL, THAT'S ON YOU, YOU KNOW WHEN YOU RUN INTO SOMEBODY'S
13 HOUSE, BREAKING AND SHOOTING LIKE THAT, YOU ARE SUPPOSED TO
14 KNOW WHAT YOU ARE DOING. THEY ARE JUST A BUNCH OF ANIMALS,
15 AND RIZZO GIVES THEM THE 'OKAY,' THEY CAN DO ANYTHING THEY
16 WANT TO, AND THEY HAVE BEEN DOING IT A LONG TIME.

17 AND THERE ARE MANY, MANY PEOPLE IN THIS CITY
18 THAT COULD TESTIFY AND THEY ARE FEARFUL, THEY HAVE BEEN
19 INTIMIDATED, AND THEY JUST WON'T COME FORWARD, BUT I'M ONE
20 THAT HE IS NOT GOING TO INTIMIDATE ME.

21 CHAIRMAN RHODES: THANK YOU VERY MUCH.

22 A. YOU'RE WELCOME.

23 (WITNESS GETTING UP.)

24 CHAIRMAN RHODES: DON'T LEAVE. WE MAY HAVE
25 QUESTIONS.

1 ARE THERE ANY QUESTIONS FROM THE COMMITTEE?
2 REPRESENTATIVE WHITE?

3 REPRESENTATIVE WHITE: NO.

4 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS?

5 REPRESENTATIVE WILLIAMS: NO.

6 CHAIRMAN RHODES: REPRESENTATIVE WIGGINS?

7 REPRESENTATIVE WIGGINS: I HAVE ONE QUESTION
8 THAT COMES TO MIND. YOUR SON -- AM I RECOGNIZED?

9 CHAIRMAN RHODES: YES, YOU ARE RECOGNIZED.

10 REPRESENTATIVE WIGGINS:

11 Q. I HAVE ONE QUESTION THAT COMES TO MIND, MRS.
12 THOMAS.

13 YOUR SON WAS WOUNDED BY THE POLICE OFFICER,
14 EVEN THOUGH IT WAS IN HIS ARM. HE WAS TAKEN TO THE HOSPITAL,
15 BUT AT NO TIME WAS HE TAKEN TO THE POLICE STATION --

16 A. RIGHT.

17 Q. LET ME FINISH PLEASE. -- AND NO CHARGES
18 WERE LODGED AGAINST HIM.

19 A. NO CHARGES.

20 WHEN I WENT TO THE HOSPITAL, AND HE WAS
21 THERE IN THE BACK OF PRESBYTERIAN HOSPITAL, AND ONE DETECTIVE
22 --SAID HE WAS DETECTIVE O'BRIEN FROM HOMICIDE, AND ANOTHER
23 ONE WAS AROUND HIM. I TOLD THEM TO GET AWAY FROM HIM. AND
24 WHEN I WENT TO PICK UP HIS CLOTHES -- THE GUN SHOT FELL, ALL
25 THE WHITE STUFF WAS ON IT, AND THEY SNATCHED HIS CLOTHES, AND

1 A. AND LATER ON ABOUT THAT SUMMER, THE FBI CAME
2 TO MY HOUSE. THEY SAID THEY WERE THE FBI, YOU KNOW, AND I
3 SHOWED THEM THE BULLET HOLES AND EVERYTHING. I DON'T KNOW
4 WHAT THEY DONE ABOUT IT, BUT I DID SHOW IT TO THE FBI. THEY
5 SAID THEY WERE FROM WASHINGTON, AND THEY WANTED TO SEE THE
6 BULLET HOLES AND I SHOWED IT TO THEM -- AND THEY ARE THE SAME
7 ONES THAT ARE STILL THERE, SO IF THE COMMITTEE WANTS TO COME
8 OUT AND SEE IT, YOU ARE WELCOME TO COME.

9 CHAIRMAN RHODES: ARE THERE ANY OTHER QUESTIONS
10 FROM THE COMMITTEE OF MRS. THOMAS? REPRESENTATIVE
11 RICHARDSON.

12 REPRESENTATIVE RICHARDSON:

13 Q. MRS. THOMAS, WE ARE TRYING TO GET AT THE
14 OVERALL PROBLEM IN THE CITY OF PHILADELPHIA CONCERNING THIS
15 COMMITTEE, AND THE ONLY THING I WOULD LIKE FOR YOU TO TALK
16 ABOUT IS THE TIME THEY SHOT YOUR DOG. YOU SAID THAT THERE
17 WAS NO PROVOCATION, NO REASON FOR DOING THAT. WHAT MAKES YOU
18 THINK THAT THIS POLICE OFFICER WOULD WANT TO SHOOT YOUR DOG?

19 A. WHO KNOWS. WHEN I FIRST MOVED UP THERE, THE
20 POLICE CAME AND ASKED ME IF THEY COULD BUY MY DOG. I HAD
21 THREE, TWO LABRADOR RETRIEVERS, AND A GERMAN SHEPHERD. SO I
22 SAID NO.

23 Q. DO YOU THINK THAT MIGHT HAVE BEEN THE CAUSE?

24 A. MIGHT HAVE, IT MIGHT HAVE BEEN SOME
25 RETALIATION, YOU KNOW, FROM WHERE I MOVED FROM.

1 Q. HAVE YOU HAD OTHER INCIDENTS THAT YOU CAN
2 RECALL WITH THE POLICE DEPARTMENT HERE IN THE CITY OF
3 PHILADELPHIA? IF YOU CAN, WOULD YOU TELL US ABOUT THOSE
4 OTHER INCIDENTS THAT OCCURRED, AND AS A RESULT OF YOUR
5 ENCOUNTER, WHETHER OR NOT YOU HAVE HAD ANY PHYSICAL BEATINGS
6 OR ANY KINDS OF PHYSICAL HARM DONE TO YOU.

7 A. NO, JUST THREATENED AND HARASSED. I HAVE
8 NEVER BEEN BEATEN, BUT THEY USED TO COME ON DOWN MOUNT VERNON
9 STREET AND HARASS ME. AND AFTER MY SON WAS SHOT, THEY WOULD
10 COME ALONG, YOU KNOW, STOP, JUMP OFF AND COME TO MY PORCH.

11 ONE TIME MY SON WAS UNDER THE WATER FLOW, MY
12 YOUNGEST SON, AND THIS OFFICER, YOU KNOW, JUST SIMPLY WENT UP
13 AND STARTED BEATING HIM. AND SO WHEN I WENT OUT THERE AND,
14 YOU KNOW, I STARTED FIGHTING HIM AND THEN I GOT HIM OFF MY
15 SON AND I COME ON IN THE HOUSE AND HE WAS ON THE PORCH.

16 THEY TOOK MY SON-IN-LAW AND LEFT, BUT I GOT
17 HIM OUT WHEN I WENT TO THE YOUTH STUDY CENTER. THEY SAID
18 WELL, HE DIDN'T SAY THE SUN DID ANYTHING, YOU WAS THE ONE. I SAID
19 WELL, HE HAD NO RIGHT TO PUT HIS HANDS ON MY SON.

20 CHAIRMAN RHODES: I WOULD LIKE TO ASK YOU ONE
21 QUESTION THAT IS BURNING IN MY MIND.

22 DO YOU HAVE ANY PERSONAL KNOWLEDGE OF THE
23 INVOLVEMENT OF THE PHILADELPHIA POLICE DEPARTMENT IN
24 NARCOTICS TRAFFICKING AND GRAFTING?

25 A. PERSONAL KNOWLEDGE? WELL, RUMORS, I HAVE

1 SEEN, YOU KNOW, COPS 'LIFT IT.' WHEN I LIVED ON MOUNT VERNON
2 STREET, THIS POLICE OFFICER, HE WOULD COME DOWN THERE ALL THE
3 TIME. HE WOULD SEND THE GANGS AROUND LANCASTER AVENUE, YOU
4 KNOW, AND KNOCK OFF PLACES, AND HE SAID 'I'LL BE A HALF
5 BLOCK AWAY AND WHEN THEY RUN OUT AND HOLLER, YOU RUN TO ME
6 AND I'LL GO ALL THE WAY.'

7 AND THIS PARTICULAR POLICEMAN, HE WOULD COME
8 DOWN AND HARASS SO MUCH WHEN I WAS LIVING ON MOUNT VERNON
9 STREET, A LOT OF US IN THAT BLOCK, WE WENT INTO THE DISTRICT
10 TO COMPLAIN TO THE CAPTAIN ONE EVENING, AND WHAT DID HE DO
11 BUT PULL OUT HIS GUN IN FRONT OF THE CAPTAIN AND SAID 'I'LL
12 SHOOT YOU,' AND THE CAPTAIN LAUGHED.

13 CHAIRMAN RHODES: WHO WAS THIS POLICE OFFICER?

14 A. HIS NAME WAS OFFICER WILLIAMS.

15 CHAIRMAN RHODES: IN THE 17TH DISTRICT?

16 A. NO, THIS WAS IN THE 16TH.

17 CHAIRMAN RHODES: 16TH DISTRICT. DO YOU HAVE
18 ANY KNOWLEDGE OF ANY INCIDENTS WHERE THE POLICE HAVE ARRANGED
19 TO ACTUALLY KILL A DRUG PUSHER, WHO WOULD NOT COOPERATE IN
20 THEIR GRAFT SCHEME?

21 A. I DON'T KNOW ABOUT NOT COOPERATING IN A
22 GRAFT SCHEME, BUT I KNOW LAST WEEK -- I DON'T KNOW IF HE WAS
23 A DRUG PUSHER OR WHAT HE WAS, I KNOW THAT AS A RESULT, YOU
24 KNOW, OFFICER MCGRAW -- THIS MAN WAS KILLED, SO THAT MY
25 NEPHEW HAD TO TESTIFY TO THAT BECAUSE HE WAS SET UP BY AN

1 UNDERCOVER OFFICER.

2 CHAIRMAN RHODES: YOU SAY YOUR NEPHEW. WHAT'S
3 YOUR NEPHEW'S NAME?

4 A. UH --

5 REPRESENTATIVE WILLIAMS: I WOULD SUGGEST THAT
6 WE NOT GO INTO THAT FOR SOME LEGAL REASONS, MK. CHAIRMAN,
7 THAT I AM AWARE OF.

8 CHAIRMAN RHODES: UNDER FURTHER ARGUMENT,
9 COUNSEL.

10 I WAS INTERESTED IN EXPLORING IF YOU HAD
11 INFORMATION OR IF YOU HAD SPECIAL KNOWLEDGE ABOUT THIS
12 PROBLEM IN PHILADELPHIA.

13 THANK YOU VERY MUCH FOR TESTIFYING BEFORE US
14 MRS. THOMAS. WE APPRECIATE YOUR COMING, BUT WE ARE NOT DONE.
15 I BELIEVE REPRESENTATIVE RICHARDSON HAS SOME QUESTIONS.
16 REPRESENTATIVE RICHARDSON.

17 REPRESENTATIVE RICHARDSON:

18 Q. ONE FINAL QUESTION, MRS. THOMAS. I THINK
19 THAT YOU KNOW THAT THE KIND OF TESTIMONY BROUGHT TO THIS
20 COMMITTEE WILL PROBABLY REQUIRE THE MEMBERS TO SIT DOWN AT
21 MEETINGS AND GO OVER SOME OF THE QUALITY COUNT OR FOR SOME OF
22 THE MEMBERS TO DISCUSS THE KINDS OF ATTITUDE THAT EXIST, THAT
23 ARE HERE IN THE CITY, AS FAR AS THE POLICE ARE CONCERNED.

24 CAN YOU SHARE JUST VERY BRIEFLY SOME OF
25 THOSE ATTITUDES THAT EXIST AMONG THE CITIZENRY TOWARDS THE

1 POLICE, AND THOSE OF THE POLICE TOWARDS THE CITIZENS? HOW DO
2 PEOPLE GENERALLY FEEL ABOUT THE POLICE DEPARTMENT IN THE CITY
3 OF PHILADELPHIA, THAT YOU KNOW OF?

4 A. WELL, THE PEOPLE LITERALLY HATE THEM BECAUSE
5 THEY DON'T EVEN ACT LIKE THEY ARE HUMAN. AND WE KNOW THAT
6 THEY ARE NOT HERE TO PROTECT US. THE FIRST THING THEY DO IF
7 YOU CALL THEM FOR PROTECTION, THEY RUN THERE WITH THEIR GUNS
8 AND STICKS OUT, AND THEY ARE READY TO BEAT YOU FIRST, WHEN
9 YOU CALLED THEM. THAT'S WHY THE PEOPLE DON'T EVEN WANT TO
10 CALL THEM ANYMORE.

11 AND MANY TIMES I HAVE SAT ON MY PORCH AND
12 SEEN THEM, YOU KNOW, RUN UP, JUMP OUT OF THE CARS WITH THEIR
13 GUNS. THE FIRST THING THEY DO IS GET READY TO SHOOT YOU.
14 THEY ARE JUST TRIGGER HAPPY, AND THEY ARE NOT TRAINED. AND
15 YOU KNOW, THIS GOES ON ALL THE TIME. THEY JUST LITERALLY
16 DRIVE UP ON THE PAVEMENT, THEY DON'T CARE NOTHING ABOUT YOU.
17 THEY SAID WE HAVE THE RIGHT TO DO ANYTHING WE WANT TO DO.

18 Q. DO YOU HAVE FOOT PATROLS IN YOUR
19 NEIGHBORHOOD?

20 A. HAVEN'T SEEN NO FOOT PATROLS IN MY
21 NEIGHBORHOOD, ALL I SEE IS CARS.

22 Q. DO YOU THINK FOOT PATROLS WOULD HELP SERVE
23 AS A DETERRENT TO PROBLEMS IN THE CITY, HAVING FOOT PATROLS
24 IN THE COMMUNITY, AND THAT THESE POLICE OFFICERS IN THE
25 COMMUNITY WOULD THEN KNOW THE NEIGHBORHOOD, BE ABLE TO RELATE

1 TO THE PEOPLE?

2 A. RIGHT. I THINK IT WOULD BE A BETTER SERVICE
3 IF THEY HAD POLICEMEN FROM THEIR OWN COMMUNITIES. I THINK
4 THEY WOULD GET MORE RESPECT, YOU KNOW. IT WOULD BE LESS
5 CRIME, THEY WOULD BE AFRAID TO COMMIT IT, YOU KNOW, BECAUSE
6 THEY WOULD KNOW WHO THEY WERE.

7 Q. WHAT DO YOU THINK OF THE AMOUNT OF TRAINING
8 THAT THE POLICE OFFICERS GET NOW AT THE ACADEMY THAT HAS BEEN
9 TESTIFIED TO?

10 A. I DON'T KNOW WHAT THEY DO, BUT THEY NEED TO
11 BE TRAINED AND SENSITIZED, AND YOU KNOW THEY DON'T HAVE NO
12 MANNERS.

13 REPRESENTATIVE RICHARDSON: ALL RIGHT, THANK
14 YOU.

15 CHAIRMAN RHODES: THANK YOU VERY MUCH, MRS.
16 THOMAS, FOR COMING FORWARD AND GIVING YOUR TESTIMONY.

17 (WITNESS EXCUSED.)

18 WE WILL NOW CALL OUR NEXT WITNESS.

19 REPRESENTATIVE WIGGINS: MR. CHAIRMAN, MAY I
20 RAISE A QUESTION TO YOU?

21 CHAIRMAN RHODES: YES.

22 REPRESENTATIVE WIGGINS: I KNOW IT HAS BEEN
23 DETERMINED THAT THE POLICE IN THE CITY OF PHILADELPHIA
24 RECEIVE SOMETHING LIKE 200 HOURS OF TRAINING; BUT HAS IT EVER
25 BEEN DETERMINED AS TO WHAT AREAS THEY ARE TRAINED IN?

1 CHAIRMAN RHODES: AS YOU KNOW, REPRESENTATIVE
2. WIGGINS, WE HAVE INVITED THE COMMISSIONER OF POLICE OF
3 PHILADELPHIA TO TESTIFY TO OUR SUBCOMMITTEE UNDER OATH, AND
4 THAT IS CERTAINLY ONE OF THE AREAS OF TESTIMONY WE WOULD LIKE
5 TO GO INTO WITH THE COMMISSIONER; BUT AS OF YET, WE HAVE NOT
6 RECEIVED ANY FORMAL REPLY FROM THE COMMISSIONER AS TO WHETHER
7 OR NOT HE WILL HONOR OUR INVITATION. AS A MEMBER OF THE
8 SUBCOMMITTEE, I ASSUME THAT YOU WILL BRING THAT MATTER
9 FORWARD, WE WILL ALL HAVE TO DISCUSS IT IF SOME REPLY IS NOT
10 FORTHCOMING SOON FROM THE COMMISSIONER.

11 WE WOULD NOW LIKE ESTHER EDWARDS AND MARIAN
12 DOCKINS TO COME FORWARD.

13 (DISCUSSION OFF THE RECORD.)

14 CHAIRMAN RHODES: WE WILL START WITH ESTHER
15 EDWARDS.

16 MRS. EDWARDS: I AM HERE AS A TAX PAYER --

17 CHAIRMAN RHODES: YOU ARE MRS. EDWARDS?

18 MRS. EDWARDS: ESTHER EDWARDS.

19 CHAIRMAN RHODES: DO YOU ACKNOWLEDGE THAT YOU
20 HAVE IN YOUR POSSESSION A SUBPOENA TO APPEAR BEFORE THIS
21 SUBCOMMITTEE?

22 MRS. EDWARDS: YES, I DO.

23 ---

24 ESTHER EDWARDS, SWORN.

25 CHAIRMAN RHODES: WILL YOU STATE YOUR NAME AND

1 ADDRESS.

2 A. MY NAME IS ESTHER EDWARDS. I LIVE AT 1905
3 NORTH 16TH STREET.

4 I AM HERE TO TESTIFY AS A TAXPAYER AND
5 NATIVE PHILADELPHIAN, AND I AM DEEPLY CONCERNED ABOUT THE
6 RAMPANT ABUSE OF POLICE POWER, AS WELL AS THE RAPID EROSION OF
7 CIVIL LIBERTIES IN THE CITY OF PHILADELPHIA.

8 I BELONG TO AN ORGANIZATION THAT HAS BEEN
9 CONCERNED AND INVOLVED IN HUMAN RIGHTS VIOLATIONS FOR THE
10 LAST FEW YEARS, BUT I CAME TO PERSONALLY TESTIFY TO THE
11 SITUATION WHICH I PERSONALLY ENCOUNTERED IN MY NEIGHBORHOOD.

12 CHAIRMAN RHODES: EXCUSE ME. WOULD YOU SUSPEND
13 FOR JUST A MOMENT.

14 (PAUSE.)

15 MRS. EDWARDS, FOR THE RECORD, PLEASE SPEAK
16 MORE DIRECTLY INTO THE MICROPHONE. THAT WILL HELP US OUT A
17 BIT.

18 A. I AM HERE AS A TAXPAYER, NUMBER ONE; AS A
19 NATIVE PHILADELPHIAN; AND AS A PERSON DEEPLY CONCERNED ABOUT
20 THE RAMPANT ABUSES OF POLICE POWER IN THE CITY -- MORE
21 CONCERNED I AM ABOUT THE RAPID EROSION OF CIVIL LIBERTIES BY
22 THE POLICE DEPARTMENT UPON THE CITIZENS.

23 I BELONG TO AN ORGANIZATION THAT HAS DONE A
24 LOT OF RESEARCH, AND HAVE COME UP WITH CASES AND FOLLOWED
25 THEM UP -- AND THE COMPLAINTS ARE NUMEROUS; BUT I AM HERE

1 TODAY TO TESTIFY PERSONALLY TO A SITUATION WHICH I
2 ENCOUNTERED FROM THE PHILADELPHIA POLICE.

3 ON FEBRUARY 11, 1977, ON THAT DATE AT
4 APPROXIMATELY 2:45 P. M., I ATTENDED A PARTY AT BASIN STREET
5 WEST, 52ND AND ARCH, A LICENSED BAR. IT WAS A BIRTHDAY
6 PARTY.

7 CHAIRMAN RHODES: WILL YOU GIVE US THAT ADDRESS
8 AGAIN.

9 A. BASIN STREET.

10 CHAIRMAN RHODES: HOW DO YOU SPELL THAT?

11 A. BASIN, B-A-S-I-N; STREET, S-T-R-E-E-T;
12 WEST, W-E-S-T.

13 CHAIRMAN RHODES: THANK YOU.

14 A. AT APPROXIMATELY 2:45 IN THE AFTERNOON,
15 THERE WERE APPROXIMATELY 48 WOMEN WHO WERE GUESTS OF MRS.
16 ELEANOR WASHINGTON, A FEDERAL EMPLOYEE, WHO WAS HAVING A
17 BIRTHDAY PARTY. THERE WERE APPROXIMATELY 27 MEN WHO WERE
18 PRESENT.

19 THE ENCOUNTER WAS AS NEAR TO WHAT I WOULD
20 DREAM A HOLOCAUST COULD BE IN THE CITY OF PHILADELPHIA.
21 ABOUT A QUARTER TO THREE, INSPECTOR MANJUM OF THE 16TH AND
22 19TH POLICE DISTRICT --

23 CHAIRMAN RHODES: WHAT'S HIS NAME?

24 A. INSPECTOR BERNARD MANJUM. A SERGEANT NIDD
25 GALLAGHER --

1 CHAIRMAN RHODES: CAN YOU SPELL HIS NAME?

2 A. M-A-N-J-U-M.

3 CHAIRMAN RHODES: BERNARD MANJUM, HE IS WITH
4 THE 16TH AND 19TH POLICE DISTRICTS?

5 A. 39TH AND LANCASTER, AND 61ST AND HAVERFORD.
6 SERGEANT NIDD GALLAGHER, SIX OR SEVEN OTHER MEMBERS OF THE
7 INSPECTOR'S SQUAD ENTERED. THEY ENTERED THE PLACE LIKE THE
8 GESTAPO. THEY LOCKED ALL THE DOORS, FRONT AND BACK. THEY
9 STOOD TWO POLICEMEN AT THE FRONT DOOR, GUARDING IT SO NO ONE
10 COULD ENTER OR LEAVE, AND TWO AT THE SIDE DOOR. THEY
11 SEARCHED EVERY WOMAN AND MAN IN THE PLACE. WHEN THEY REACHED
12 THE LOCATION WHERE I WAS SITTING, I ASKED TO SEE THE SEARCH
13 AND SEIZURE WARRANT OR BODY WARRANT. I WAS SHOWN A BODY
14 WARRANT OF A KNOWN NUMBER WRITER, AND A WOMAN, NEITHER WERE
15 PRESENT AT THE TIME WE WERE SEARCHED. THE MEN WERE SEARCHED
16 -- PANTS POCKETS, THEIR POCKETS WERE EMPTIED. THE WOMEN WERE
17 EACH INDIVIDUALLY SEARCHED. THE SEARCH TOOK OVER TWO HOURS.

18 AT EXACTLY 3:30, I RECEIVED A PHONE CALL
19 FROM MY SON, WHO WAS AT THE ARENA, ASKING WHAT TIME I WAS
20 GOING TO PICK HIM UP. THE BARMAID HANDED THE PHONE TO ONE OF
21 THE SERGEANTS. THE SERGEANT SAID, 'ESTHER EDWARDS, COME TO
22 THE PHONE.' I WENT TO THE TELEPHONE. HE SAID, 'YOU ARE
23 UNDER ARREST.' I NEVER SPOKE TO MY SON. THEY HANDCUFFED ME
24 WITH MY PURSE, TOOK MY DRIVER'S LICENSE, OWNER'S CARD, CREDIT
25 CARD AND \$200. I ASKED THE CHARGES. THE CHARGES THEY STATED

1 WERE ILLEGAL LOTTERY.

2 I HAVE NEVER BEEN INVOLVED IN ILLEGAL
3 LOTTERY, NEVER HAVE BEEN A NUMBER WRITER, NEVER HAVE BEEN
4 IDENTIFIED OR ASSOCIATED WITH ANY KNOWN NUMBER WRITERS.

5 THE NUMBER WRITER, WHOM THEY WERE SEEKING
6 WAS PRESENT. HE WAS NOT IN MY COMPANY. HE SAID, "DON'T
7 ARREST MRS. EDWARDS, I AM THE ONE YOU ARE LOOKING FOR, AND
8 THE WOMAN YOU ARE LOOKING FOR IS NOT IN HERE TODAY."

9 HE ARRESTED US BOTH, HANDCUFFED US TOGETHER,
10 PUT ME IN THE PATROL WAGON, TOOK ME TO THE 16TH DISTRICT.
11 INSPECTOR BERNARD MANJUM RANTED AND RAVED LIKE A MANIAC. HE
12 CURSED THREE OF THE STATE LEGISLATORS THAT ARE HERE, HE
13 CURSED THE SENATOR WHO IS BLACK, HE CALLED A WOMAN IN THE CELL
14 WITH ME A "BLACK BITCH." HE TOLD ME IF I DON'T LIKE IT, GET
15 ONE OF THEM TO GET ME OUT. I REMAINED IN CUSTODY ELEVEN
16 HOURS WITHOUT A PHONE CALL UNTIL THE SIXTH HOUR. ON THE
17 SIXTH HOUR, A BLACK OFFICER ENTERED AND THEN SAID, "THAT'S A
18 KNOWN BLACK LADY WHO COORDINATED ED RENDELL'S CAMPAIGN," AND
19 THEN I WAS EXTENDED WITH TOTALLY DIFFERENT COURTESY.

20 INSPECTOR MANJUM TOOK ME TO HIS OFFICE IN
21 THE DISTRICT. HE PERMITTED ME TO MAKE A PHONE CALL. HE
22 WANTED TO KNOW IF I WANTED SOMETHING TO EAT OR DRINK. I
23 ASKED TO CALL MY SON, I COULD NOT LOCATE HIM. HE REMAINED ON
24 THE DOORSTEPS IN WYNNEFIELD UNTIL THREE THAT MORNING.

25 I WAS TAKEN TO 8TH AND RACE. AT

1 APPROXIMATELY A QUARTER TO ONE, I REMAINED AT 8TH AND RACE,
2 FINGERPRINTED --

3 CHAIRMAN RHODES: 8TH AND RACE, FOR THE RECORD
4 IS WHAT THEY CALL THE ROUNDHOUSE.

5 A. ROUNDHOUSE, TOTAL ARREST --TOTALLY
6 PROCESSED AS A PERSON INVOLVED IN ILLEGAL LOTTERY.

7 I TRIED TO REACH HARDY WILLIAMS, I TRIED TO
8 REACH CECIL MOORE, I TRIED TO REACH DAVE RICHARDSON, AND I
9 TRIED TO REACH HERB HARDIN; NOT A SINGLE ATTORNEY WAS I ABLE
10 TO REACH. AT 3 O'CLOCK I WAS ARRAIGNED.

11 NOW, MY SON IS STILL IN WYNNEFIELD, UNABLE
12 TO GET INTO THE HOUSE. HE WAS NEVER PICKED UP AT 40TH
13 STREET.

14 FINALLY, I WENT BEFORE A JUDGE. THE JUDGE
15 ASKED SEVERAL QUESTIONS ABOUT MY COMMUNITY ACTIVITIES.
16 FINALLY, I WAS GIVEN A DATE AND BAIL.

17 I APPEARED THE NEXT MORNING IN ED RENDELL'S
18 OFFICE TO FILE A COMPLAINT, IN POLICE COMMISSIONER'S OFFICE,
19 POLICE COMMISSIONER O'NEILL'S OFFICE TO FILE A COMPLAINT, IN
20 RIZZO'S OFFICE TO FILE A COMPLAINT, IN LUCIEN BLACKWELL'S
21 OFFICE TO FILE A COMPLAINT; AND I COULD NOT FIND STEPHEN
22 LEVIN, OR HARDY WILLIAMS.

23 I AM SAYING TODAY, AND I AM SAYING IT IN NO
24 UNCERTAIN TERMS, THAT THERE IS A SERIOUS EROSION OF CIVIL
25 LIBERTIES IN THE CITY OF PHILADELPHIA; AND I HAVE EXPERIENCED

1 IT, AND I CAN GIVE YOU TESTIMONY OF OTHER PEOPLE WHO HAVE
2 EXPERIENCED IT, AND IT'S NOT AN ISOLATED INCIDENT. THERE HAS
3 BEEN A SERIOUS EROSION IN THE PAST TEN MONTHS, AND I
4 PERSONALLY AM OPINIONATED IN SAYING, BUT I HAVE HEARD OTHERS
5 SAY, THAT THE ATMOSPHERE HAS BEEN CREATED BY MAYOR RIZZO, THE
6 POLICE COMMISSIONER, AND THE CITY ADMINISTRATION, WHO IS
7 TOTALLY INSENSITIVE TO ANYTHING THAT THE POLICE DEPARTMENT
8 DOES THAT IS WRONG.

9 THE FINAL POINT I WANT TO BRING OUT IS THAT
10 I HAD HIRED AN ATTORNEY, AND THE DISTRICT ATTORNEY'S OFFICE
11 KNEW WHEN THE CASE CAME UP, AND FIVE MINUTES AFTER MY NAME
12 WAS CALLED, THE PROSECUTION WAS WITHDRAWN BECAUSE OF ED
13 RENDELL. AND I AM SITTING HERE TODAY WONDERING ABOUT THE MEN
14 AND WOMEN AND CHILDREN OF THE CITY OF PHILADELPHIA THAT DON'T
15 HAVE THE ED RENDELL LINE THAT THEY CAN PULL. AND I AM
16 WONDERING WHY THE CASE WAS NOT THROWN OUT FROM THE OUTSET. I
17 HAVE \$200, NOT A SINGLE NUMBER PLAY. KIDD GALLAGHER
18 TESTIFIED THAT I HAD TWO HUNDRED NUMBER PLAYS. HE DIDN'T
19 STATE \$200.

20 THEY HELD MY PERSONAL BELONGINGS UNTIL THEY
21 GOT READY TO RELEASE THEM, AND IT WAS NOT THE DAY AFTER THE
22 ARRAIGNMENT.

23 CHAIRMAN RHODES: HOW FAR DID THIS LEGAL
24 PROCEEDING AGAINST YOU GO BEFORE IT WAS TERMINATED.

25 A. FOUR WEEKS, FOUR WEEKS.

1 CHAIRMAN RHODES: AT WHAT POINT WAS IT
2 TERMINATED?

3 A. AT THE HEARING IN 692, FOUR WEEKS AFTER THE
4 HEARING.

5 CHAIRMAN RHODES: PRELIMINARY HEARING?

6 A. YES, THE INCIDENT WAS FEBRUARY 11TH.

7 CHAIRMAN RHODES: IT WAS DISMISSED AT THE
8 PRELIMINARY HEARING?

9 A. YES, THE PROSECUTION WAS WITHDRAWN AFTER I
10 HAD BEEN THROUGH THE WHOLE POLITICAL PROCESS.

11 CHAIRMAN RHODES: WAS IT DEVELOPED THERE WAS A
12 WARRANT FOR YOUR ARREST?

13 A. NO. I DIDN'T SAY THAT AT ALL.

14 CHAIRMAN RHODES: NO, BUT WAS IT DEVELOPED AT
15 THE PRELIMINARY HEARING THAT THERE WAS A WARRANT FOR YOUR
16 ARREST?

17 A. NO, NO, NO WARRANT FOR MY ARREST UNDER THESE
18 CIRCUMSTANCES.

19 CHAIRMAN RHODES: WELL, DID THE OFFICERS
20 TESTIFY THAT THEY SAW YOU WITH SLIPS?

21 A. ALL THEY TESTIFIED IS THAT THEY FOUND TWO
22 HUNDRED NUMBER PLAYS IN MY WALLET. THEY FOUND \$200, \$200,
23 NOT TWO HUNDRED NUMBER PLAYS.

24 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS, I AM
25 NOT SURE, IF THEY DON'T HAVE A WARRANT -- THIS IS NOT

1 DIRECTED TO YOU BUT TO REPRESENTATIVE WILLIAMS -- IF THEY DO
2 NOT HAVE A WARRANT FOR ARREST FOR AN INDIVIDUAL, THE ONLY
3 OTHER WAY THEY CAN MAKE AN ARREST IS IF THEY VIEW ON SIGHT
4 SOME KIND OF WRONG DOING, SUCH AS WE HAVE THE COUNTING OF THE
5 SLIPS, OR WHATNOT.

6 REPRESENTATIVE WILLIAMS: THAT'S CORRECT.

7 CHAIRMAN RHODES: IF IT TURNS OUT IF IT WAS
8 PROVEN THAT THEY KNEW IT WAS \$200 AND NOT 200 NUMBER SLIPS;
9 ARE THEY LIABLE FOR WRONGFUL ARREST? IS THERE A LEGAL
10 CONDITION, A LEGAL WRONGDOING ON THE PART OF THE POLICE
11 OFFICER, CALLED UNLAWFUL ARREST?

12 REPRESENTATIVE WILLIAMS: YES, THEY WOULD BE
13 GUILTY OF A CRIME IN THE NATURE OF --

14 CHAIRMAN RHODES: AS A CRIME IN ITSELF?

15 ISN'T IT TRUE THAT IF THEY FALSELY STATE
16 WHAT THEY FOUND IN VIEW, IN PLAIN VIEW, WHATEVER, THAT IS
17 CALLED WHAT -- BEFORE THEY MAKE THE ARREST?

18 REPRESENTATIVE WILLIAMS: THAT IS A CRIME, AND
19 IT ALSO IN MY JUDGMENT WOULD BE A VIOLATION OF THE FEDERAL
20 CRIMINAL AND CIVIL CODES, IF UNDER COVER OF BEING A POLICE
21 OFFICER, SOMEONE WOULD SUBJECT YOU TO ARREST, MALICIOUS OR
22 WHATEVER.

23 A. THE UNDERLYING MOTIVE IN MY PARTICULAR CASE,
24 I THINK, WAS POLITICAL. INSPECTOR MANJUM CURSED, SHOUTED,
25 AND STOMPED. HE MADE DEHUMANIZING REMARKS ABOUT BLACK

1 REPRESENTATIVES, HOW THEY HAD NO POWER. 'YOU ARE SO BIG IN
2 THE COMMUNITY, GET SOME HELP, GET ONE OF THEM TO GET YOU OUT
3 TONIGHT. ANYONE YOU WANT TO CALL, ANY GODDAMNED ONE YOU WANT
4 TO CALL.'

5 CHAIRMAN RHODES: THIS WAS ACTUALLY IN YOUR
6 MIND POLITICAL HARASSMENT?

7 A. THAT'S WHAT IT WAS. IT WAS HIS WAY OF
8 DISCREDITING ME AS A CANDIDATE FOR HERB FINEMAN'S SEAT.

9 CHAIRMAN RHODES: WERE YOU A CANDIDATE --

10 A. IT WAS HIS WAY OF DISCREDITING ME. HE DID
11 JUST THAT.

12 CHAIRMAN RHODES: WERE YOU A CANDIDATE FOR THE
13 SPECIAL ELECTION?

14 A. THE SPECIAL ELECTION WAS OVER. I WAS
15 SEEKING ELECTION FOR THE ELECTION COMING UP.

16 CHAIRMAN RHODES: WERE YOU A CANDIDATE FOR THE
17 ELECTION COMING UP?

18 A. YES, I WAS A CANDIDATE FOR THE SPECIAL
19 ELECTION, NOT THE PRIMARY, SPECIAL ELECTION.

20 CHAIRMAN RHODES: DO YOU WANT TO ADD TO YOUR
21 TESTIMONY?

22 A. I ONLY WANT TO SAY THAT IT WAS ONLY -- NOT
23 ONLY DEHUMANIZING, IT WAS DISCREDITING. THERE ARE PEOPLE
24 WHO DON'T KNOW TODAY THE TRUE FACTS OF THE CASE --

25 CHAIRMAN RHODES: OF WHAT HAPPENED?

1 A. THERE ARE MANY BLACK AND WHITE POLICE
2 OFFICERS WHO KNOW ME. THERE WERE MANY OTHER ARRESTS MADE IN
3 THE NEIGHBORHOOD THAT DAY. THERE WERE PEOPLE WHO SAW ME AND
4 THOUGHT I HAD COME TO GET THEM OUT BECAUSE OF THE
5 ORGANIZATION I AM IDENTIFIED WITH. NOBODY BELIEVED THAT THEY
6 HAD ARRESTED ME AND HELD ME ELEVEN HOURS.

7 CHAIRMAN RHODES: JUST TO CLARIFY YOUR POINT
8 ABOUT HARASSMENT. IS IT YOUR UNDERSTANDING THAT THE POLICE
9 OFFICERS WHO MADE THE ARREST, ANY OF THE POLICE OFFICERS OF
10 THAT CROWD THAT TESTIFIED, THERE WERE SOME WHO KNEW YOU WERE
11 A CANDIDATE? WAS ONE AN INSPECTOR --

12 A. THERE WAS AN INSPECTOR AND SERGEANT.

13 CHAIRMAN RHODES: AND SIX OR SEVEN OFFICERS?

14 A. THERE WERE OFFICERS WHO CALLED ME BY THE
15 FIRST NAME WHEN THEY CALLED ME.

16 CHAIRMAN RHODES: THAT'S WHAT I MEANT.

17 A. THERE WERE OFFICERS WHO STATED TO INSPECTOR
18 MANJUM: ESTHER EDWARDS HAS WORKED HARD FOR THIS COMMUNITY.
19 THERE WERE INSPECTORS, THERE WERE POLICE OFFICERS AT THE
20 STATION AND AT 8TH AND RACE, WHO COULD NOT BELIEVE THAT THEY
21 WERE BRINGING ME IN.

22 CHAIRMAN RHODES: THROUGHOUT THE STATION THERE
23 WAS SOME OFFICER WHO KNEW YOU?

24 A. THERE WAS SOMEONE TO IDENTIFY ME.

25 CHAIRMAN RHODES: ARE THERE ANY QUESTIONS OF

1 MRS. EDWARDS AT THIS POINT?

2 LET'S START WITH REPRESENTATIVE RICHARDSON.

3 REPRESENTATIVE RICHARDSON: THANK YOU VERY
4 MUCH.

5 REPRESENTATIVE RICHARDSON:

6 Q. MRS. EDWARDS, I WANT TO THANK YOU FOR COMING
7 FORWARD AND TESTIFYING BEFORE OUR COMMITTEE.

8 I WANT TO GO OVER A COUPLE OF THINGS WITH
9 YOU. ONE OF THE THINGS IS THAT ON THE DATE OF THE INCIDENT
10 YOU WERE SITTING IN THE -- WHAT IS THE NAME OF THE PLACE?

11 A. THE NAME OF THE PLACE WAS BASIN STREET, AND
12 IT WAS THE DAY AFTER I HAD ORGANIZED A MEETING OF THE
13 COMMITTEE PERSONS IN THE 194TH LEGISLATIVE DISTRICT, THE VERY
14 NEXT DAY.

15 Q. TELL ME, IS THAT THE EX-STATE REPRESENTATIVE
16 HERBERT FINEMAN'S DISTRICT?

17 ALSO, THIS BIRTHDAY PARTY FOR THE LADY THAT
18 WAS HELD THERE, HOW MANY PEOPLE WERE IN THE VICINITY?

19 A. THERE WERE 48 WOMEN AND 27 MEN.

20 Q. WERE ALL OF THEM ARRESTED?

21 A. NO, I WAS THE ONLY ONE ARRESTED IN THAT
22 CROWD. LATER A BARMAID IN THAT ESTABLISHMENT CAME IN; SHE
23 WAS ARRESTED TOO, BUT SHE WAS RELEASED.

24 Q. OTHER THAN THAT INCIDENT AND THAT BIG RAID,
25 YOU AND THE OTHER WOMAN WERE THE ONLY PERSONS ARRESTED?

1 A. NO. AT THAT PARTICULAR SPOT THAT PARTICULAR
2 DAY, THE NUMBER WRITER AND I WERE ARRESTED, BUT THERE WERE A
3 SERIES OF RAIDS THAT DAY AT SEVEN DIFFERENT BLACK OWNED AND
4 OPERATED BUSINESSES.

5 THERE WERE SENIOR CITIZENS WHO WERE PLAYING
6 THE LEGAL LOTTERY ON THE CORNER OF 52ND AND MARKET. THERE
7 WERE SENIOR CITIZENS WHO WERE IN AND OUT OF THE CHECK CASHING
8 PLACES AND OTHER BUSINESSES.

9 THAT DAY MORE THAN 127 PERSONS WERE
10 ARRESTED, AND I THINK IT IS SIGNIFICANT TO NOTE, AND NOTICE
11 I'M CALLING NAMES, JOHN BRAXTON, WHO WORKS FOR THE DISTRICT
12 ATTORNEY'S OFFICE WAS TELLING PEOPLE AND HE ALSO TOLD ME, IF
13 YOU PLEAD GUILTY, YOU WILL GET OFF EASIER UNDER OUR LAW.

14 THERE IS NO WAY IN THE WORLD THAT I WAS
15 GOING TO PLEAD GUILTY OR MIND ANYONE ELSE WHO ASKED ME TO
16 PLEAD GUILTY TO ILLEGAL LOTTERY WHEN I WASN'T WRITING
17 NUMBERS. BUT THERE WERE MANY PEOPLE THAT I KNOW --

18 REPRESENTATIVE WILLIAMS:

19 Q. YOU MEAN THE DAY OF THE ARREST?

20 A. THE DAY OF ARREST. I DIDN'T SPEAK TO JOHN
21 BRAXTON, WHEN I WENT TO THE DISTRICT ATTORNEY'S OFFICE TO
22 FILE MY COMPLAINT.

23 Q. YES?

24 A. MR. RENDELL WASN'T THERE. HIS SECRETARY
25 CALLED JOHN BRAXTON UP. SHE SAID, 'JOHN, THIS IS A FRIEND OF

1 ED, SHE'S IN TROUBLE AND I WANT YOU TO PERSONALLY HANDLE
2 THIS.' I WENT TO JOHN BRAXTON'S OFFICE. I STAYED THERE ONE
3 HOUR RELATING JUST WHAT I RELATED TO YOU. JOHN BRAXTON MADE
4 A CALL TO THE 19TH DISTRICT. THEN JOHN BRAXTON SAID TO ME,
5 'WELL, ESTHER, IF I WERE YOU I WOULD PLEAD GUILTY, AND YOU
6 TELL ALL YOUR FRIENDS THEY WOULD GET OFF EASIER PLEADING
7 GUILTY.' I SAID, 'PLEADING GUILTY TO WHAT?'

8 Q. I JUST WANT TO MAKE SURE THERE IS NO
9 MISUNDERSTANDING. AT THIS STAGE I DON'T KNOW IF THERE IS ANY
10 PLACE TO PLEAD GUILTY IN ANY EVENT.

11 A. HE MEANT WHEN THE CASE CAME UP.

12 Q. IT COULD BE A SITUATION WHERE THE CASE IS
13 CONSIDERED FOR A.R.D., IF THE D.A. AND THE POLICE TALKED
14 ABOUT IT. YOU ARE NOT SAYING HE WAS TALKING ABOUT A.R.D.,
15 NOT BY A PLEA OF GUILTY?

16 A. HE WAS SAYING TO ME THAT THE INSPECTOR HAS
17 IT IN FOR YOU AND THAT THE EASIEST WAY OUT FOR YOU IS TO
18 PLEAD GUILTY. I INTERVIEWED THREE OTHER PERSONS, TWO SENIOR
19 CITIZENS AND A YOUNG GIRL WHO HAD BEEN TOLD THE SAME THING.

20 Q. MRS. EDWARDS, ALSO I WANT TO GET THIS CLEAR
21 ABOUT WHAT MR. BRAXTON DID. SOMETIMES PEOPLE DO GET A.R.D.
22 AND PLEAS OF GUILTY MIXED UP, AND AT THAT STAGE THERE WOULD
23 BE NO REASON TO CONSIDER A PLEA OF GUILTY IN MY JUDGMENT FOR
24 ANYTHING.

25 A. ACCORDING TO JOHN BRAXTON --

1 Q. THERE COULD BE A.R.D. CONSIDERATION STARTING
2 AT THAT TIME.

3 A. I KNOW THE DIFFERENCE.

4 Q. OKAY.

5 A. I KNOW THE DIFFERENCE.

6 Q. THAT'S WHAT I AM TRYING TO MAKE CLEAR.

7 A. I KNOW THE DIFFERENCE OF PLEADING GUILTY AND
8 A.R.D.

9 Q. OKAY.

10 A. ALL RIGHT.

11 Q. DID HE GIVE YOU --

12 A. A REASON?

13 Q. DID HE GIVE YOU THE BASIS ON WHICH HE WOULD
14 SUGGEST THAT?

15 A. HE CERTAINLY DID. HE SAID, "YOU ARE NO
16 NUMBER WRITER." I SAID, "YOU ARE NO LIAR, AND WHEN ED
17 RENDELL COMES HERE WE WILL HAVE THE RECORD WITHDRAWN." THE
18 RECORD THREE DAYS LATER --

19 Q. MR. BRAXTON SAID YOU WERE A KNOWN NUMBER
20 WRITER?

21 A. THAT'S WHAT INSPECTOR MANJUM SAID.
22 INSPECTOR MANJUM SAID, "YOU ARE A KNOWN NUMBER WRITER." I
23 SAID HE IS A KNOWN LIAR.

24 Q. THAT'S WHAT THE INSPECTOR SAID TO YOU --

25 A. I HAVE NEVER BEEN INVOLVED IN ANY CRIMINAL

1 ACTIVITY, INCLUDING ILLEGAL LOTTERY, IN MY LIFE.

2 Q. WELL, THAT'S CERTAINLY TRUE, WE KNOW THAT.

3 A. THIS IS WHAT INSPECTOR MANJUM TOLD ME,
4 ACCORDING TO JOHN BRAXTON'S STATEMENT, "PLEADING GUILTY,
5 ESTHER, IS THE EASIEST WAY."

6 Q. OR WHATEVER, RIGHT?

7 EVEN IF SOMEONE IS A KNOWN NUMBER WRITER,
8 THAT IS NO REASON TO PLEA GUILTY BECAUSE KNOWN NUMBER WRITERS
9 DON'T EVER GET ARRESTED. THEY DON'T GET ARRESTED.

10 DID HE GIVE YOU A REASON, DID MR. BRAXTON
11 SAY TO YOU, "WELL, MRS. EDWARDS, THEY GOT ALL THIS
12 INFORMATION AND IT SEEMS TO ME THEY GOT AN AIRTIGHT CASE, AND
13 YOU OUGHT TO PLEA GUILTY"; AND DID YOU SAY, "ARE YOU CRAZY?
14 THEY DON'T HAVE ANY INFORMATION." DID HE GIVE YOU ANY
15 INFORMATION?

16 A. HE SAID, "I SPOKE TO INSPECTOR BERNARD
17 MANJUM, AND THE INSPECTOR SAID THAT YOU ARE A KNOWN NUMBER
18 WRITER."

19 REPRESENTATIVE WILLIAMS: EXCUSE ME, MRS.
20 EDWARDS.

21 I THOUGHT THAT STATEMENT ABOUT MR. BRAXTON
22 SUGGESTING AT THAT STAGE THAT YOU SHOULD PLEA GUILTY WAS A
23 BIT -- TOO MUCH.

24 A. A BIT.

25 REPRESENTATIVE WILLIAMS: NO, IT IS ALSO OUT OF

1 TIME, THERE ISN'T ANY REASON THAT I --

2 A. WELL, FOR WHATEVER HIS REASON.

3 REPRESENTATIVE WILLIAMS: OKAY.

4 A. HE KNOWS ME PERSONALLY, AND HE KNOWS I'M
5 NOT, INSPECTOR MANJUM KNOWS I'M NOT.

6 REPRESENTATIVE WILLIAMS: I KNOW HE KNOWS
7 YOU'RE NOT.

8 CHAIRMAN RHODES: REPRESENTATIVE --

9 A. SO THEN I KNEW I HAD TO GO --

10 REPRESENTATIVE WILLIAMS: IT SEEMS TO ME THAT
11 HE WOULD SAY --

12 CHAIRMAN RHODES: DO YOU HAVE ANY MORE
13 QUESTIONS, REPRESENTATIVE?

14 REPRESENTATIVE WILLIAMS: NO.

15 REPRESENTATIVE RICHARDSON:

16 Q. GOING BACK TO YOUR EARLIER TESTIMONY OF THE
17 48 WOMEN AND 27 MEN PRESENT, ONLY YOU AND A MALE, AND LATER ON
18 A FEMALE WERE THE ONLY ONES ARRESTED, RIGHT?

19 A. UH-HUH.

20 Q. OKAY. WOULD YOU TELL US IF YOU WERE ABUSED
21 IN ANY WAY, OR IF YOU WERE ABUSED MENTALLY, OR PHYSICALLY,
22 WOULD YOU SHARE THAT WITH THIS COMMITTEE?

23 A. THE ABUSE I SUFFERED WAS PSYCHOLOGICAL. IT
24 WAS BEING ARRESTED AND HANDCUFFED AMONG MANY PEOPLE THAT I
25 KNOW THAT HELD ME IN HIGH ESTEEM, THAT WAS THE PSYCHOLOGICAL

1 ABUSE.

2 Q. DEFAMATION OF CHARACTER.

3 A. ALL THAT --

4 Q. COMING OUT.

5 A. IT DISTRESSED ME AS A CANDIDATE, NUMBER TWO.

6 Q. WHAT ABOUT AS A PERSON FIRST, BEFORE AS A
7 CANDIDATE? WE ARE NOT TRYING TO PUT INTO THE RECORD THAT A
8 PERSON, WHO IS A CANDIDATE WAS DISCREDITED, BUT RATHER I AM
9 ASKING YOU WHETHER OR NOT YOU WERE DISCREDITED AS A HUMAN
10 BEING FIRST, EVEN BEFORE YOU WERE A CANDIDATE. YOU HAVE SAID
11 BEFORE THAT YOU WERE DISCREDITED AS A CANDIDATE.

12 A. YES, I WILL SAY FIRST AS A HUMAN BEING. HE
13 DIDN'T KNOW WHO I WAS UNTIL THE COMMITTEE CAME.

14 Q. OKAY. GO AHEAD.

15 A. BUT I AM FURTHER STATING THAT HIS POSITION
16 WAS EVEN MORE ARROGANT WHEN HE ASCERTAINED WHO I WAS.

17 Q. NOW, YOU SAID THAT YOU WERE HELD AT THE 16TH
18 DISTRICT?

19 A. 39TH AND LANCASTER, THE 16TH DISTRICT.

20 Q. FOR HOW MANY HOURS?

21 A. I WAS HELD AT THAT DISTRICT FROM 3:30 UNTIL
22 APPROXIMATELY -- WELL, 10:30. I WAS PERMITTED TO CALL, SO
23 AROUND 11:30 WE LEFT THERE FOR 8TH AND RACE.

24 Q. SO FROM 3:30 TO 10:30, YOU WERE NOT ALLOWED
25 TO MAKE A CALL. OKAY.

1 Q. NOW, WAS ANYBODY ELSE LOCKED UP IN THE CELL
2 WITH YOU?

3 A. NOT WITH ME, JUST THE PERSON THEY WERE
4 LOOKING FOR ON THE WARRANT, THE NUMBER WRITER, DAVID SULFUR,
5 AND AFTER THAT THEY HAD TAKEN ME, THEY HANDCUFFED BOTH OF US.

6 Q. THEY HANDCUFFED BOTH OF YOU AND LOCKED YOU
7 UP IN THE SAME CELL?

8 A. NO, NO, NO.

9 Q. WERE YOU FED WHILE YOU WERE INCARCERATED?

10 A. NO. I DID NOT GET ANY FOOD OR WATER OR
11 PERMITTED PHONE CALLS UNTIL AFTER 10:30.

12 Q. NO PHONE CALLS UNTIL AFTER 10:30 IN THE
13 EVENING.

14 NOW, AT 3:30 IN THE AFTERNOON WHEN YOU WERE
15 FIRST TAKEN TO THE 16TH DISTRICT UNTIL YOU WENT TO THE
16 ROUNDHOUSE WHICH WAS 11:30, YOU ESTABLISHED YOU HAD NOT
17 EATEN, RIGHT?

18 A. RIGHT.

19 Q. FROM 11:30 P. M. UNTIL 3:30 A. M. IN THE
20 MORNING WHEN YOU WERE ARRAIGNED --

21 A. STILL HADN'T EATEN.

22 Q. -- YOU STILL HADN'T EATEN?

23 A. STILL HADN'T EATEN, STILL HADN'T WATER.

24 Q. DO YOU FEEL THAT THAT IS INHUMAN TREATMENT?

25 A. OH, DEFINITELY. BUT THERE WERE PEOPLE WHO

1 HAD BEEN THERE FOR 23 HOURS WHO HADN'T EATEN, SO I DIDN'T
2 MAKE A COMMOTION OVER THAT.

3 Q. THE POINT BEING THAT, DO YOU KNOW OTHER
4 PERSONS OR HAVE YOU ENCOUNTERED OTHER PERSONS WHO WERE
5 ARRESTED AND INCARCERATED AND WHO DID NOT GET ANYTHING TO
6 EAT?

7 A. YES, INDEED. THERE WERE MANY RIGHT THERE AT
8 THAT DISTRICT THAT NIGHT AT 8TH AND RACE, WHO HADN'T HAD ANY
9 FOOD OR WATER.

10 Q. IS THAT CUSTOMARY?

11 A. YES, INDEED. IT'S A PRACTICE.

12 Q. DO YOU KNOW FROM YOUR INVOLVEMENT -- AND I
13 CITE FROM THE RECORD THAT YOU ARE AN ACTIVE PERSON IN THE
14 COMMUNITY, THAT YOU ARE A CIVIC LEADER, AND THAT YOU ARE
15 RESPECTED BY MANY WHO ARE HERE IN THE CITY -- YOU HAVE A HIGH
16 CALIBER OF RESPECT; COULD YOU CITE TO US WHETHER OR NOT YOU
17 KNOW OF ANY PERSONS WHO HAVE FILED COMPLAINTS IN THE CITY
18 ABOUT POLICE, OR PERSONS THAT YOU KNOW WHO HAVE FILED
19 COMPLAINTS HERE IN THE CITY OF PHILADELPHIA ABOUT THE POLICE,
20 AND WHAT TYPE OF REACTION HAD THEY GOT AS A RESULT OF FILING
21 THE COMPLAINTS.

22 A. WELL, WE FILED COMPLAINTS. THERE IS ONE
23 THAT IS ACTIVE. I HAVE IN MY POSSESSION NOW A LETTER FROM AN
24 INMATE, WHO HAD BEEN SHOT IN THE HEAD AT 55TH AND PINE, WHO
25 HAD BEEN HOSPITALIZED, WHO HAD BEEN DETAINED WITHOUT LEGAL

1 COUNSEL FOR SEVERAL DAYS. THAT WAS ONLY ONE CASE, THERE ARE
2 MANY. WE GET LETTERS EACH AND EVERY WEEK FROM PEOPLE,
3 SOMETIMES THE INMATES WHO ARE IMPRISONED BY EITHER A PENAL
4 SYSTEM OR THE POLICE STATIONS OR THE DISTRICTS. THE
5 COMPLAINTS HAVE, I WOULD SAY THEY HAVE GROWN IMMENSELY IN THE
6 PAST THREE YEARS.

7 Q. WHY DO YOU THINK THAT, MRS. EDWARDS?

8 A. WELL, I JUDGE THAT, NUMBER ONE, BY THE
9 VOLUME OF MAIL, I JUDGE THAT AGAIN BY THE ATMOSPHERE THAT HAS
10 BEEN CREATED BY THE CITY ADMINISTRATION AS CONDUCIVE TO
11 VIOLENCE BY POLICE OFFICERS.

12 RARELY, IF EVER, IS A COMPLAINT GIVEN ANY
13 FOLLOW-UP UNLESS A PERSON HAS SOME SIGHT, SOME INSIGHT OR
14 SOME DIRECT LINE INSIDE. MOST OF THEM, MOST OF THE
15 COMPLAINTS THAT ARE MADE ABOUT POLICE OFFICERS ARE JUST, MORE
16 OR LESS, FILED AWAY IN SOME KIND OF CIRCUIT FILE.

17 I PARTICULARLY MAKE A POINT WHEN I GET A
18 COMPLAINT FROM AN INDIVIDUAL TO FOLLOW-UP WITH A LETTER ON
19 OUR COALITION STATIONERY, FOLLOW-UP WITH A PHONE CALL, AND
20 EVEN MAKE A VISIT TO THE INSPECTOR'S OFFICE, THE HUMAN
21 RELATIONS OFFICE IN THE DISTRICT. I FOUND --

22 CHAIRMAN RHODES: EXCUSE ME. REPRESENTATIVE
23 WHITE WOULD LIKE PERMISSION TO ASK REPRESENTATIVE RICHARDSON
24 TO YIELD.

25 REPRESENTATIVE WHITE: WILL YOU YIELD,

1 REPRESENTATIVE RICHARDSON?

2 REPRESENTATIVE RICHARDSON: YES.

3 CHAIRMAN RHODES: REPRESENTATIVE WHITE.

4 REPRESENTATIVE WHITE:

5 Q. ON THAT VERY POINT, THE HANDLING OF THE
6 COMPLAINT THAT YOU JUST SPOKE OF; DO YOU HAVE REASON TO
7 BELIEVE THAT IS STILL TAKING PLACE IN SPITE OF THE NEW
8 REGULATIONS THAT THE POLICE DEPARTMENT SUPPOSEDLY IMPLEMENTED
9 IN REGARD TO THE HANDLING OF COMPLAINTS.

10 A. OH, YES, I CERTAINLY DO. THE INCIDENT THAT
11 I CAN REFER TO EXPLICITLY IS THE RECENT HOOD CASE. NINETEEN
12 ORGANIZATIONS MET AND DECIDED THAT THIS WAS GOING TO BE OUR
13 CASE. WE HAD THREE DEMONSTRATIONS, WE HAD A PRESS
14 CONFERENCE, WE HAD ANOTHER PRESS CONFERENCE AND SENT A WIRE
15 TO THE ADVOCATE.

16 REPRESENTATIVE WHITE: THANK YOU.

17 REPRESENTATIVE RICHARDSON:

18 Q. IN YOUR ESTIMATION, WHO WOULD YOU SAY ARE THE
19 INDIVIDUALS IN THIS TOWN WHO SUFFER THE MOST FROM POLICE
20 VIOLENCE?

21 A. I WOULD SAY THAT IN MY OPINION BLACKS AND
22 MINORITIES ARE THE GREATEST VICTIMS OF CIVIL LIBERTIES AND
23 HUMAN RIGHTS ISSUES, AND I WOULD SAY PARTICULARLY THOSE WHO
24 ARE NOT PART OF THE POLITICAL MACHINERY THAT IS FUNCTIONING
25 IN THIS CITY.

1 Q. DO YOU FEEL THAT THIS IS A PART OF THE
2 SYSTEMATIC APPROACH -- AND I AM RAISING THIS QUESTION FOR THE
3 RECORD; IN YOUR OWN OPINION, HOW DO YOU FEEL ABOUT IT; IS IT
4 A SYSTEMATIC APPROACH THAT MAKES THIS OCCUR OR IS THIS JUST
5 HAPHAZARDLY? IT JUST HAPPENS?

6 A. I PERSONALLY BELIEVE AND I THINK THAT OUR
7 ORGANIZATION HAS FOUND -- IT STANDS BESIDE ME IN THIS BELIEF
8 -- I THINK THERE HAS BEEN A SYSTEMATIC CONSPIRACY AGAINST
9 BLACKS AND MINORITIES THAT ARE PERPETRATED BY THE MAYOR OF
10 THE CITY AND THE CITY ADMINISTRATION AS A WHOLE. I THINK
11 THAT COMMISSIONER O'NEILL, AN EDUCATED MAN, AN INTELLIGENT
12 MAN, I THINK HIS HANDS HAS BEEN TIED. I FEEL THAT MANY OF
13 OUR OWN BLACK POLICE OFFICERS FEAR THE LOST OF THEIR JOBS,
14 AND THAT IS WHY NO ONE THAT I KNOW OF -- AND SEVERAL SAW ME
15 -- DID NOT GO OUTSIDE TO TRY TO GIVE ME ANY HELP THAT NIGHT I
16 WAS ARRESTED. I WAS APPAULED AT THE FACT THAT A MAN THAT WAS
17 SO CLOSE TO MY FAMILY WITNESSED THE INTERROGATION, WITNESSED
18 THE LANGUAGE USED BY THE INSPECTOR, AND WAS SUBORDINATE
19 ENOUGH TO WALK AWAY AS IF IT NEVER EVEN HAPPENED.

20 I FEEL THAT IN PHILADELPHIA, MOST VICTIMS OF
21 POLICE ABUSE AND BRUTALITY FEEL THAT NOTHING IS EVER GOING TO
22 BECOME OF IT AND THEY DON'T EVEN TRY TO FIGHT BACK. I FEEL
23 THE FEW OF US THAT ARE OUT HERE CONSISTENTLY STRIVING TO
24 CHANGE THIS POLITICAL MACHINERY HAVE BEEN EXCLUDED FROM ANY
25 MEANINGFUL JOBS. WE HAVE BEEN INTIMIDATED IN THE COMMUNITY.

1 I HAVE A SON WHO AT 24, IS A CANDIDATE FOR A
2 DOCTOR, WHO WAS ARRESTED FOR PLAYING BASKETBALL AT THE CORNER
3 OF THE STREET WHERE HIS FATHER PUT UP A RACK. HE WAS NOT
4 DISTURBING ANYONE. THEY HELD HIM IN THE 19TH DISTRICT UNTIL
5 I CAME THERE, AND DEMANDED THAT THEY CHARGE HIM OR BOOK HIM,
6 AND GET HIM OUT OF THAT CELL. NO ONE MOVED UNTIL I GOT
7 FREEMAN HANKINS OUT OF HIS BED. THERE ARE FEW OF US WHO HAVE
8 THAT KIND OF STAMINA TO DEAL WITH A SITUATION LIKE THIS.

9 CHAIRMAN RHODES: WHEN DID THAT INCIDENT OCCUR?

10 A. ONE YEAR AGO. ONE YEAR AGO, HE WAS HOME FOR
11 A WEEKEND LAST JUNE. HE WAS PLAYING BASKETBALL. A POLICE
12 OFFICER APPROACHED, AND SAID EVERYONE UNDER EIGHTEEN HAS FIVE
13 MINUTES TO GET OFF THE CORNER. MY SON IS 24 YEARS OLD,
14 TEACHING AT THE UNIVERSITY OF OHIO. HE PULLED OUT HIS
15 IDENTIFICATION, THE POLICE OFFICER KNOCKED THE IDENTIFICATION
16 OUT OF HIS HAND, AND PLACED HIM UNDER ARREST. MY NEIGHBORS
17 CALLED ME FROM MY JOB. THEY SAID YOUR SON IS IN THE 19TH
18 DISTRICT. I WENT TO THE 19TH DISTRICT AND ASKED WHAT HE WAS
19 CHARGED WITH. "THERE'S NO CHARGE." "THERE'S GOING TO BE A
20 CHARGE, AND THERE'S GOING TO BE A CHARGE NOW, OR HE'S COMING
21 OUT OF THAT CELL." "WE ARE NOT GOING TO RELEASE HIM UNTIL
22 TOMORROW MORNING." I SAID, "TOMORROW MORNING"?

23 I CALLED SENATOR HANKINS ON THE PHONE. HIS
24 WIFE TOLD ME THAT HE WAS ASLEEP. I SAID, "YOU HAVE TO GET
25 HIM UP TONIGHT BECAUSE THEY ARE NOT GOING TO KEEP MY SON IN A

1 CELL AT THE 19TH DISTRICT TWELVE HOURS, AND TELL ME THE NEXT
2 MORNING THAT HE HANGED HIMSELF.' ALL RIGHT. SENATOR HANKINS
3 CALLED THE DISTRICT. THE SERGEANT GAVE ME A COPY OF THE
4 CHARGES, CHARGING HIM WITH DISORDERLY CONDUCT, AND THEY LET
5 ME BRING HIM HOME THAT NIGHT.

6 I WENT TO POLICE COMMISSIONER O'NEILL'S
7 OFFICE THE NEXT MORNING. I TOLD HIM THAT HE WAS DUE BACK ON
8 THE CAMPUS ON MONDAY MORNING -- THIS WAS A FRIDAY, I COULD
9 NOT HOLD HIM OVER. HE SAID, I'LL HAVE THE HEARING CONTINUED
10 FOR TWO WEEKS. I SAID, 'YOU MEAN TO TELL ME I HAVE TO PAY
11 HIS FARE TO BRING HIM BACK HERE IN TWO WEEKS FOR THIS
12 RIDICULOUS CHARGE'? I HAD TO DO JUST THAT.

13 CHAIRMAN RHODES: WHO SAID THAT TO YOU?

14 A. A REPRESENTATIVE OF COMMISSIONER O'NEILL'S
15 OFFICE.

16 CHAIRMAN RHODES: NOT COMMISSIONER O'NEILL?

17 A. NOT COMMISSIONER O'NEILL.

18 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON, DO
19 YOU HAVE ANY MORE QUESTIONS?

20 REPRESENTATIVE RICHARDSON: YES, SIR.

21 REPRESENTATIVE RICHARDSON:

22 Q. SO YOU HAVE DRAWN US AN ANALOGY. WHAT I
23 WANT TO DO IN THE LAST PART OF MY QUESTIONING IS TO TALK A
24 LITTLE BIT ABOUT THE TYPE OF ABUSES YOU SUFFERED FROM THE
25 POLICE, NOT JUST NECESSARILY BEING PHYSICALLY BEATEN UP.

1 DO YOU KNOW OF ANY OTHER CASES? YOU TALKED
2 EARLIER ABOUT BEING PSYCHOLOGICALLY BEATEN UP. WHAT ARE THE
3 KINDS OF CASES THAT YOU KNOW OF THAT HAVE HAPPENED IN THE
4 COMMUNITY, AND IN WHAT COMMUNITY HAS IT HAPPENED MOST IN?

5 A. I HAVE AN EXAMPLE OF A YOUNG MAN WITHOUT
6 VISION IN HIS RIGHT EYE, CHANGED TO POOR HEALTH, AND HAVING
7 BEEN ARRESTED AND CHARGED WITH RETAIL THEFT IN WANAMAKERS.

8 WHEN THE GUARD TOOK HIM TO THE ROOM AND
9 CALLED THE POLICE FROM THE DISTRICT END, HE WAS PHYSICALLY
10 BEATEN UNTIL HE ADMITTED TO THE RETAIL THEFT CHARGE.

11 Q. WHO BEAT HIM UP?

12 A. THE PHILADELPHIA POLICE AND THE GUARD.

13 Q. OF WANAMAKERS?

14 A. YES. I REFERRED THE CASE. I WAS HEAD OF
15 PUSH AT THE TIME, AND CHARLES BOWSER WAS THE PRESIDENT OF
16 PUSH. I REFERRED THE CASE TO HIM, TO CHARLES BOWSER, AND HE
17 NEVER FOLLOWED THAT CASE UP. BUT I SAW THE MAN THE DAY AFTER
18 HE HAD BEEN BEATEN IN A ROOM AT THE WANAMAKERS STORE BY TWO
19 LOCAL POLICEMEN AND A SECURITY GUARD.

20 Q. DO YOU KNOW WHAT HAPPENED TO HIM PHYSICALLY?

21 A. HIS EYES WERE LACERATED, HE HAD STITCHES
22 ACROSS THE NOSE, IT WAS PUFFY ALL OVER, AND LIKE I SAID, I
23 NEVER FOLLOWED IT UP.

24 Q. DID HE LOSE HIS SIGHT AS A RESULT OF THAT,
25 WAS HE HOSPITALIZED?

1 A. I KNOW HE WAS HOSPITALIZED. HE HAD EYE
2 SURGERY AT P.G.H., AND AFTER THAT I LEFT THE ORGANIZATION,
3 AND I HAD NO OTHER CONTACT WITH HIM.

4 Q. ONE FINAL QUESTION: HAVE YOU FILED A
5 CRIMINAL OR CIVIL COMPLAINT AGAINST THE POLICE DEPARTMENT
6 RELEVANT TO THE SITUATION AT BASIN STREET?

7 A. I HAVE A PRIVATE ATTORNEY WHO HAS GONE EVEN
8 BEYOND THAT. HE HAS FILED A COMPLAINT.

9 Q. FILED WHERE?

10 A. IN FEDERAL COURT, HE IS FILING A COMPLAINT
11 WITH THE U.S. ATTORNEY'S OFFICE, AND ALSO HE HAS A CASE
12 PENDING.

13 REPRESENTATIVE RICHARDSON: THANK YOU VERY
14 MUCH, MR. CHAIRMAN. THANK YOU VERY MUCH, MRS. EDWARDS.

15 CHAIRMAN RHODES: MRS. EDWARDS, JUST AS A
16 MATTER OF RECORD, HAVE ANY OF THE OFFICERS WHO HAVE
17 MISTREATED YOU, IN YOUR OPINION, HAVE ANY OF THEM YET BEEN
18 DISCIPLINED BY THE POLICE DEPARTMENT IN ANY SENSE AT ALL?

19 A. OH, NO, NOT THAT I KNOW OF. IN FACT, THIS
20 RAIDING SQUAD THAT WAS ATTACHED TO INSPECTOR MANJUM'S SQUAD
21 STOPPED ME ON THE CORNER ABOUT TWO WEEKS AGO.

22 CHAIRMAN RHODES: THE WHOLE SQUAD STOPPED YOU?

23 A. FOUR MEMBERS OF THE SQUAD WERE IN THE CAR,
24 THEY STOPPED, AND PULLED UP TO ME ON THE CORNER, AND CALLED
25 ME "ESTHER," AND I SAID "MRS. EDWARDS."

1 AND THEN ON THE SECOND OCCASION WHEN THEY
2 WERE RAIDING A CHECK CASHING PLACE, AND I WITNESSED IT --
3 CENTRAL PHOTOGRAPHERS, SO THEY HAD BEEN FOLLOWING ME, AND I
4 HAD ALSO BEEN FILING A DOCUMENT OF THEIR ACTIVITY.

5 CHAIRMAN RHODES: I WASN'T CLEAR DIRECTLY ON
6 YOUR RESPONSE TO REPRESENTATIVE RICHARDSON'S QUESTION ABOUT
7 COMPLAINTS. DID YOU FILE?

8 A. I FILED A COMPLAINT.

9 CHAIRMAN RHODES: A POLICE COMPLAINT?

10 A. YES.

11 CHAIRMAN RHODES: HAVE YOU RECEIVED ANY
12 NOTIFICATION ABOUT THE DISPOSITION OF THAT COMPLAINT?

13 A. NO, I HAVEN'T.

14 CHAIRMAN RHODES: YOU DON'T KNOW WHETHER THERE
15 WAS A FINDING OF JUSTIFIED BEHAVIOR OR NOT ON THE PART OF THE
16 POLICE DEPARTMENT?

17 A. NO, I REALLY DON'T.

18 CHAIRMAN RHODES: DO YOU KNOW IF ANY OF THE
19 OTHER OFFICERS THAT YOU MENTIONED IN YOUR TESTIMONY WERE
20 DISCIPLINED?

21 A. OH, I SEE THEM AROUND. I DON'T THINK THERE
22 HARDLY WAS ANY DISCIPLINARY ACTION. THEY HAD A RAID THE
23 FOLLOWING WEEK IN A SHOP THAT WAS IN THE AREA, AND I WENT UP
24 THERE AT THAT TIME THAT THE RAID WAS MADE TO GET SOME
25 ADDITIONAL INFORMATION.

1 CHAIRMAN RHODES: SO THIS IS THE SPECIAL UNIT?

2 A. THIS IS THE INSPECTOR'S SQUAD. THE DISTRICT
3 HAS, EACH TWO DISTRICTS HAS ONE INSPECTOR. INSPECTOR MANJUM
4 WAS OVER AT THE 16TH DISTRICT AND THE 19TH DISTRICT, BOTH OF
5 THEM ARE INSPECTOR'S SQUADS.

6 CHAIRMAN RHODES: AND THESE SQUADS ARE ATTACHED
7 TO HIM PERSONALLY?

8 A. WELL, I GUESS HE CAN PULL ANYONE FROM THE
9 PATROL FROM UNIFORM WHENEVER HE IS GOING TO RAID. HE HAS A
10 RAIDING PARTY.

11 HE SOMEHOW APPEARS TO BE TRYING TO BUILD A
12 NAME FOR HIMSELF. HE ATTACKS US LIKE HITLER. HE KICKS IN
13 DOORS AND HE TAKES A NIGHTSTICK AND BREAKS IN THE WINDOWS
14 EVEN THOUGH THE DOORS ARE NOT LOCKED. I THINK HE IS TRYING,
15 AND IT IS THE OPINION OF THE COMMUNITY THAT HE IS TRYING TO
16 MAKE A NAME FOR HIMSELF BY DOING ALL THIS ROUGH STUFF. IF HE
17 WAS REALLY CONCERNED ABOUT CRIME, HE WOULD CLEAN UP THE 16TH
18 AND 19TH DISTRICTS, HE WOULD DO AWAY WITH THIS ROUGH STUFF.

19 Q. DO YOU KNOW OF ANY SPECIFIC INCIDENTS WHERE
20 THIS INSPECTOR HAS BEEN PERSONALLY INVOLVED IN VIOLATING
21 CIVIL RIGHTS OF OTHER CITIZENS?

22 A. WELL, MY CASE I WOULD SAY HE WAS INVOLVED --

23 Q. I SAID OTHER CASES.

24 A. YES, INDEED. WE HEARD IT ON WDAS. WE HAD
25 TWO WOMEN WHO ARE SENIOR CITIZENS WHO CERTAINLY DON'T PLAY

1 NUMBERS. THEY WERE ARRESTED AND HELD LONG HOURS, AND WHEN
2 MANJUM WOULDN'T LET THEM GET OUT, THEY CALLED HIS NAME OUT IN
3 SPITE OF HARASSMENT.

4 Q. I CANNOT OVEREMPHASIZE HOW CRITICAL IT IS
5 THAT YOU PROVIDE THIS SUBCOMMITTEE AS SOON AS POSSIBLE THE
6 NAMES OF THOSE INDIVIDUALS AND A BRIEF ACCOUNT OF THE
7 INCIDENT INVOLVED.

8 A. ALL RIGHT.

9 Q. I GATHER THIS INSPECTOR IS A FAIRLY SENIOR
10 OFFICIAL IN THE POLICE DEPARTMENT?

11 A. HE'S AN ANGRY OLD MAN.

12 Q. I DO NOT MEAN AGE WISE. HE'S A VERY HIGH,
13 HE'S A SENIOR OFFICIAL HERE?

14 A. WELL, AN INSPECTOR, I WOULD ASSUME WOULD BE
15 A SENIOR OFFICIAL.

16 CHAIRMAN RHODES: WE WILL BE MOST INTERESTED IN
17 DETERMINING THE CONDUCT OF THIS INSPECTOR PURSUANT TO OUR
18 INVESTIGATION.

19 A. WELL, THE DISTRICT ATTORNEY'S OFFICE HAS A
20 SPECIAL UNIT THAT IS RESPONSIBLE FOR COMPLAINTS ABOUT THE
21 CONDUCT OF OFFICERS AND I CALLED IT TO THEIR ATTENTION; AND I
22 CALLED IT TO THE ATTENTION OF COMMISSIONER O'NEILL; I
23 BROADCAST IT ON WDAS; I SENT OUT NEWSLETTERS AND GAVE IT OUT
24 IN HIS DISTRICT AND HIS ENTIRE DISTRICT OF 15,000; AND A FACT
25 SHEET ON INSPECTOR MANJUM'S SON --

1 CHAIRMAN RHODES: WELL, WE ARE VERY CONCERNED
2 ABOUT SPECIFIC INCIDENTS INVOLVING THIS INSPECTOR, AND WE
3 WOULD BE MOST APPRECIATIVE IF YOU CAN ADVISE OUR
4 SUBCOMMITTEE STAFF AT THE VERY EARLIEST TIME AVAILABLE,
5 DETAILED INFORMATION ON INCIDENTS WHERE HE HAS ALLEGEDLY
6 VIOLATED CITIZENS' CIVIL RIGHTS, THAT AFTER ALL IS THE
7 PRINCIPLE FOCUS OF THIS PHASE OF OUR INVESTIGATION.

8 REPRESENTATIVE WHITE, DO YOU HAVE ANY
9 QUESTIONS?

10 REPRESENTATIVE WHITE: NO.

11 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS?

12 REPRESENTATIVE WILLIAMS:

13 Q. MRS. EDWARDS, YOU REFERRED TALKING TO
14 DISTRICT ATTORNEY JOHN BRAXTON AT THE TIME. WHAT TIME WAS
15 THAT?

16 A. THE MORNING -- THE RAID WAS ON FEBRUARY 11,
17 SATURDAY. MONDAY MORNING I WENT TO 2400 CENTRE SQUARE
18 BUILDING.

19 Q. IT WASN'T UNTIL MONDAY MORNING?

20 A. YES, I COULDN'T ARRIVE UNTIL MONDAY MORNING.
21 I WANTED TO SEE ED RENDELL PERSONALLY, BUT HE WAS OUT OF
22 TOWN.

23 Q. SO YOU DID NOT TALK TO MR. RENDELL UNTIL?

24 A. UNTIL ALMOST A WEEK LATER. I DIDN'T SEE HIM

25 --

1 Q. A WEEK LATER.

2 A. -- PERSONALLY, BUT HIS SECRETARY AND STAFF

3 --

4 Q. FOR A MINUTE I GOT THE IMPRESSION THAT AMONG
5 OTHERS, NEITHER MR. RICHARDSON, NEITHER MR. MOORE NOR MR.
6 RENDELL WERE ON THE SPOT -- HE WAS OUT OF TOWN FOR A WEEK.
7 OKAY.

8 A. NO, HE WAS IN WILDWOOD, BUT I WAS IN HIS
9 OFFICE EVERY MORNING UNTIL HE GOT BACK -- THAT MONDAY ALL
10 DAY, AND I KNEW HE WAS GOING TO BE IN.

11 Q. I MISSED THE PLEASURE TO COME DOWN MONDAY.

12 A. IN FACT, I WENT TO HIS HOME.

13 (PAUSE.)

14 Q. OKAY. YOU MADE SOME RATHER SERIOUS
15 ALLEGATIONS CONCERNING AN INSPECTOR, A PHILADELPHIA POLICE
16 INSPECTOR WHO CALLED YOU A "BLACK BITCH."

17 A. NO, CALLED ANOTHER WOMAN IN MY PRESENCE A
18 "BLACK BITCH." A WHITE POLICE OFFICER PERMITTED HER TO GO
19 AND LEAVE AND GET WATER; AND HE SAID THAT NO ONE COULD EAT,
20 COULD HAVE WATER OR MAKE ANY PHONE CALLS.

21 Q. REFERRED TO ANOTHER?

22 A. ANOTHER PRISONER.

23 Q. ANOTHER PRISONER AS A "BLACK BITCH" --

24 A. SAME CELL.

25 Q. -- IN YOUR PRESENCE?

1 A. HE CAME TO ME --

2 Q. IN YOUR PRESENCE?

3 A. IN MY -- HE CAME TALKING TO ME. 'MRS.

4 EDWARDS, WHERE IS THAT BLACK BITCH?' WERE HIS WORDS.

5 Q. YOU ALSO REFERRED TO THE FACT THAT THIS
6 POLICE INSPECTOR FROM WHAT HE SAID TO YOU -- I DON'T REMEMBER
7 WHAT YOUR WORDS WERE, BUT IT SEEMED TO INDICATE CONTEMPT FOR

8 --

9 A. BLACK PUBLIC OFFICIALS.

10 Q. FOR BLACK PUBLIC OFFICIALS AND --

11 A. AND BLACK COMMUNITY LEADERSHIP.

12 Q. HOW DID HE EXPRESS THAT, IN WHAT TERMS?

13 A. MR. WILLIAMS, I SAID THE WORD 'BITCH,' AND
14 DIDN'T INTEND TO HEAR IN THE CHURCH, BUT I WOULD RATHER, I
15 RATHER NOT REPEAT ANY OF THE PROFANITY HE USED IN REFERENCE
16 TO YOU, DAVE, JOHN, SENATOR HANNINS AND SENATOR --

17 Q. MRS. EDWARDS --

18 A. HE CALLED THEM BY NAME.

19 CHAIRMAN RHODES: IF IT'S FOR THE RECORD, IT
20 WOULD BE HELPFUL.

21 REPRESENTATIVE WILLIAMS:

22 Q. I THINK THAT WHATEVER THE WORDS ARE, I GUESS
23 THE WORDS ARE INTENDED FOR LITERARY DESCRIPTION BY YOU AND
24 FOR ACCURACY, NOT FOR PROFANITY.

25 A. FIRST LETTERS?

1 CHAIRMAN RHODES: I THINK IT'S VERY IMPORTANT.

2 Q. I THINK IT IS IMPORTANT --

3 CHAIRMAN RHODES: IT'S VERY IMPORTANT.

4 REPRESENTATIVE WILLIAMS:

5 Q. I THINK IT'S IMPORTANT TO FIND OUT THE
6 ATTITUDE OF THE PEOPLE WHO HOLD THE RESPONSIBLE POSITIONS OF
7 AN INSPECTOR OR WHATEVER BECAUSE IT JUST INFECTS THE WHOLE
8 FABRIC OF THAT SYSTEM. I THINK IT'S IMPORTANT TO KNOW IF
9 THERE IS AN INSPECTOR IN MY DISTRICT OR ANYBODY ELSE'S
10 DISTRICT WHO FEELS THAT THE OFFICIAL IN THAT DISTRICT FOR
11 SOME RACIAL REASON IS TO BE LOOKED AT CONTEMPTUOUSLY OR
12 DISRESPECTED, THEN WE DON'T NEED TO HAVE THOSE PERSONS IN
13 THOSE AREAS OR ANY OF THEM. SO YOU ARE ROOTED. I WANT TO
14 KNOW WHAT WAS SAID.

15 A. YOU DUMB, POOR M.F.'N. -- AND NAMED THEM.

16 Q. NIGGERS?

17 A. NO, NAMED THEM.

18 Q. WHAT DID HE SAY?

19 A. HANKINS, MCKINNEY, RICHARDSON AND ALL THOSE
20 M.F.'S, YOU KNOW, SEE IF ANY ONE OF THOSE M.F.'S CAN GET YOU
21 OUT OF HERE TONIGHT.

22 REPRESENTATIVE DUMAS: WHO MADE THAT STATEMENT
23 TO YOU?

24 A. INSPECTOR BERNARD MANJUM.

25 REPRESENTATIVE WILLIAMS:

1 Q. NOW, YOU ARE SAYING THAT THE INSPECTOR TOLD
2 YOU, CHALLENGED YOU ON GETTING OUT WHEN HE KNEW THERE WAS NO
3 --

4 A. WHEN HE KNEW.

5 Q. -- INFORMATION TO HOLD YOU?

6 A. WHEN HE READ THE REPORT WRITTEN BY SERGEANT
7 KIDD GALLAGHER THAT STATED I HAD TWO HUNDRED NUMBER PLAYS
8 WHICH HE NEVER SAW AND I NEVER SAW.

9 Q. CAN YOU ANSWER MY QUESTION. DID THE
10 INSPECTOR KNOW THAT YOU DIDN'T DO ANYTHING?

11 A. HE -- THAT HE DIDN'T FIND ANY OF THOSE ON
12 ME.

13 Q. HE KNEW THAT THE POLICE OFFICER DIDN'T FIND
14 ANYTHING ON YOU?

15 A. THAT'S RIGHT.

16 CHAIRMAN RHODES:

17 Q. HOW DID HE KNOW THAT?

18 A. THERE WERE 48 WOMEN AND 27 MEN THERE WHEN I
19 WAS SEARCHED, NOT ANYONE WITNESSED THEM TAKING ANYTHING OUT
20 OF MY PURSE BUT MY CREDIT CARDS, MY DRIVER'S LICENSE, MY
21 OWNER'S CARD AND \$200.

22 Q. HOW DID THE INSPECTOR KNOW THAT THE SERGEANT
23 WAS LYING?

24 A. I DON'T KNOW HOW THE INSPECTOR WOULD KNOW
25 THAT THAT I WAS LYING OR THE SERGEANT WAS LYING. HE WENT BY

1 THE REPORT THAT WAS PLACED ON HIS DESK.

2 Q. SO THE INSPECTOR WOULD ONLY KNOW WHAT WAS
3 BASED ON WHAT THE SERGEANT GAVE HIM?

4 A. THAT'S RIGHT.

5 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS, YOU
6 WILL HAVE TO YIELD TO REPRESENTATIVE DUMAS.

7 REPRESENTATIVE WILLIAMS: I WILL YIELD TO THE
8 DISTINGUISHED, GRAY-HAIRED GENTLEMAN TO MY RIGHT.

9 REPRESENTATIVE DUMAS: ESTHER, I CALLED THE
10 NIGHT THAT YOU WERE ARRESTED, I AM SURE YOU ARE NOT AWARE OF
11 THAT.

12 A. YES, I WAS AWARE OF THAT. I WAS AWARE THAT
13 FOUR STATE REPRESENTATIVES WERE CALLED.

14 REPRESENTATIVE DUMAS: I INTERCEDED AND
15 ATTEMPTED TO GET YOU OUT OF JAIL, BUT I WAS UNSUCCESSFUL.

16 A. WELL, SENATOR MCKINNEY CAME DOWN THERE
17 PERSONALLY, HERB HARDIN CAME DOWN THERE PERSONALLY, FREEMAN
18 HANKINS WAS CALLED, SEVERAL WERE CALLED --

19 REPRESENTATIVE DUMAS: I WAS TOLD BY THE
20 AUTHORITIES THAT YOU HAD A CRIMINAL RECORD OF ILLEGAL
21 LOTTERY.

22 A. THAT'S JUST EXACTLY WHAT INSPECTOR MANJUM
23 TOLD EVERYONE THAT WAS PRESENT.

24 CHAIRMAN RHODES: THANK YOU, REPRESENTATIVE
25 DUMAS. REPRESENTATIVE WILLIAMS.

1 REPRESENTATIVE DUMAS: I WOULD JUST LIKE TO
2 KNOW IF YOU WERE EVER ARRESTED BEFORE.

3 A. I HAVE NEVER BEEN INVOLVED OR ARRESTED IN
4 ANY CRIMINAL ACTIVITY, INCLUDING ILLEGAL LOTTERY AT ANY TIME
5 IN MY LIFE. I HAVE NEVER BEEN ASSOCIATED WITH ANY KNOWN
6 NUMBER WRITERS.

7 REPRESENTATIVE DUMAS: THANK YOU.

8 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS.

9 REPRESENTATIVE WILLIAMS:

10 Q. MRS. EDWARDS, SOME SPECIFIC OFFICER ARRESTED
11 YOU. WILL YOU GIVE US HIS NAME?

12 A. K-I-D-D, G-A-L-L-A-G-H-A-R. SERGEANT KIDD
13 GALLAGHAR.

14 Q. YOU SUGGEST THAT HE ARRESTED YOU ON A FALSE
15 CHARGE FOR A REASON.

16 A. THAT'S RIGHT.

17 Q. WOULD YOU RESTATE WHAT REASON YOU THINK HE
18 ARRESTED YOU FOR. DID HE KNOW YOU WHEN HE ARRESTED YOU?

19 A. NO, HE DIDN'T. IT WASN'T UNTIL I GOT TO THE
20 PRECINCT THAT SOME MEN, BLACK AND WHITE OFFICERS IDENTIFIED
21 ME.

22 Q. WELL, WHY DID HE ARREST YOU ON THE SCENE IF
23 HE DIDN'T KNOW YOU?

24 A. WELL, THERE WAS A CROWD OF WOMEN AND MEN
25 SITTING IN A CIRCLE AT A BIRTHDAY PARTY. THERE'S FOOD AND

1 CAKE BEING PASSED AROUND. HE CAME IN WITH AN ARREST WARRANT
2 FOR TWO KNOWN NUMBER WRITERS. ONE WAS PRESENT. THE
3 TELEPHONE RINGS. MY SON IS CALLING FROM THE ARENA TO SEE
4 WHAT TIME I AM GOING TO PICK HIM UP. THE SERGEANT ANSWERS
5 THE PHONE. THE PERSON ASKED FOR ESTHER EDWARDS. THE
6 SERGEANT SAYS, 'MRS. EDWARDS, YOU ARE WANTED ON THE PHONE. I
7 GO TO THE PHONE. HE SAID, 'YOU ARE UNDER ARREST.'

8 Q. I HEARD THAT. YOU ARE SAYING THAT SOMEONE
9 CALLED AND GOT YOU AT THE TIME, AND THEREFORE THE SERGEANT
10 PICKED YOU?

11 A. HE HAPPENED TO CALL WHEN THE PLACE WAS UNDER
12 SEIZURE, NO ONE WAS ALLOWED TO ENTER OR LEAVE.

13 CHAIRMAN RHODES: THE IMPLICATION BEING THAT
14 SHE WAS TAKING CALLS FOR NUMBERS. THEY'RE THAT CRAZY, THE
15 POLICE.

16 A. THAT'S RIGHT, THAT'S RIGHT.

17 REPRESENTATIVE WILLIAMS:

18 Q. BUT THAT WOULD CONTRADICT WHAT YOU SAID
19 BEFORE OR SUGGESTED THAT FOR SOME REASON THAT YOU WERE
20 ARRESTED BECAUSE OF YOUR OTHER INVOLVEMENTS.

21 A. ALL RIGHT, LET ME SAY THIS. WE HAD A
22 COMMITTEE MEETING THE NIGHT BEFORE AND THEY WANTED ANOTHER
23 MEETING THAT AFTERNOON, AND I ANNOUNCED TO A BODY OF
24 INDIVIDUALS THAT I COULDN'T POSSIBLY MAKE THAT MEETING, I
25 WOULD BE AT A BIRTHDAY PARTY IN BASIN STREET THE NEXT DAY AT

1 3 O'CLOCK, AND THAT'S WHY IT WAS ASSOCIATED OR RELATED TO
2 HIM.

3 Q. WELL, IT COULD BE ONCE THEY ARRESTED YOU ON
4 HAPPENSTANCE AND FIND OUT WHO YOU ARE THEY COULD THEN
5 MAINTAIN --

6 A. WELL, I BELIEVE THAT'S WHAT HAPPENED.

7 Q. BUT I THINK IT'S SERIOUS IF YOU ARE ARRESTED
8 FOR SOMETHING YOU DID NOT DO, AND IT IS TRUE THAT YOU'RE
9 RIGHT, THAT YOUR IMAGE HAS BEEN TARNISHED BY THE FACT THAT
10 PEOPLE BELIEVE THAT STUFF, THAT'S ABSOLUTELY SO.

11 DO YOU HAVE ANY SUGGESTIONS ON WHAT YOU
12 THINK CAN BE DONE IN THE AREA -- I AM TALKING ABOUT DISTRICT
13 -- THE POLICE DISTRICT MANAGEMENT PROCEDURE?

14 IF YOU HAVE SOMEONE IN THE DISTRICT LIKE
15 WHAT INSPECTOR MANJUM APPEARS TO BE, WHO HAS NO RESPECT FOR
16 PUBLIC OFFICIALS AND NO RESPECT FOR WOMEN, THEN A PERSON LIKE
17 THAT SHOULDN'T BE IN CHARGE OF ANYTHING.

18 A. NO, HE DEFINITELY HAS A PROBLEM AND HE NEEDS
19 PROFESSIONAL HELP.

20 Q. DO YOU HAVE ANY SUGGESTIONS AS TO WHAT WE
21 CAN DO TO ELIMINATE PEOPLE LIKE THAT FROM BEING IN CHARGE OF
22 SUCH A RESPONSIBLE POSITION?

23 A. WELL, HE KNOWS THAT THAT'S THE VERY BOTTOM
24 LINE OF ACCOUNTABILITY.

25 REPRESENTATIVE WILLIAMS: OKAY, THANK YOU.

1 A. I WANT TO TESTIFY TO THE MANNER IN WHICH MY
2 SON WAS ARRESTED IN AUGUST OF 1970.

3 REPRESENTATIVE DUMAS: YOU MAY PROCEED NOW.

4 A. I AM A LITTLE NERVOUS.

5 REPRESENTATIVE DUMAS: JUST TAKE YOUR TIME.

6 A. WELL, HE WAS ARRESTED BY THE PHILADELPHIA
7 POLICE, AND AT THE TIME HE WAS ARRESTED, HE WAS BEATEN.
8 FIRST, HE WAS SHOT IN THE HEAD AND THEN HE WAS -- I CAN'T GET
9 IT ALL EXACTLY THE WAY -- AFTER HE WAS SHOT, THEY HAD TAKEN
10 HIM DOWN TO THE POLICE STATION; THEY HAD CHARGED HIM FIRST.
11 WHAT THEY DID, THEY HAD A CHARGE TRUMPED UP AGAINST HIM. HE
12 WAS ARRESTED ON THOSE TRUMPED-UP CHARGES. HE IS NOW IN
13 PRISON ON THOSE CHARGES I AM REFERRING TO. HE WAS HELD TWO
14 HUNDRED AND FORTY DAYS BEFORE HE WENT TO TRIAL. I BELIEVE
15 THE STATUTE OF LIMITATIONS IS ONE HUNDRED AND EIGHTY DAYS.
16 HE WENT TO COURT WITHOUT AN ATTORNEY, AND HE WENT -- WHEN THE
17 POLICE ARRESTED HIM, AS I SAID PREVIOUSLY, THEY SHOT HIM; HE
18 WAS SHOT, AND TAKEN TO 55TH AND PINE.

19 REPRESENTATIVE DUMAS: YOU MEAN HE WAS SHOT IN
20 THE HEAD?

21 A. YES.

22 REPRESENTATIVE DUMAS: HE WAS NOT TAKEN TO THE
23 HOSPITAL, BUT TO 55TH AND PINE?

24 A. BEFORE THEY HAD TAKEN HIM TO THE HOSPITAL,
25 THEY BEAT HIM, THEY TOOK HIM TO 55TH AND PINE, AND BEAT HIM

1 AND KICKED HIM IN THE FACE, GROIN, ALL THE AREAS OF HIS BODY,
 2 GUNS TO HIS HEAD, AND MADE ALL KINDS OF DEROGATORY REMARKS,
 3 AFTER THEY BEAT HIM, HANDCUFFED HIM TO THE CHAIR, THEN THEY
 4 TOOK HIM TO P.G.H. HE WAS BEATEN AGAIN BY THE PHILADELPHIA
 5 POLICE, AND ALSO WE WANTED TO BRING THAT OUT AT THAT HEARING.
 6 HE HAD SOME MONEY ON HIM WHEN HE WAS ARRESTED. THE POLICE
 7 TOOK THE MONEY, TWO THOUSAND DOLLARS, AND GAVE HIM A HUNDRED
 8 DOLLARS, AND SAID THIS IS WHAT HE COULD GET FROM WELFARE.
 9 DETECTIVE MARVIN VITCOW -- V-I-T-C-O-W I THINK IT IS.

10 REPRESENTATIVE DUMAS: WHY DID YOU STATE THAT
 11 DETECTIVE MARVIN VITCOW HAD TAKEN THE MONEY?

12 A. I REMEMBER HIS NAME DISTINCTLY.

13 REPRESENTATIVE DUMAS: YOU WERE TOLD BY YOUR
 14 SON HE HAD TAKEN THE MONEY?

15 A. RIGHT. THE SHOOTING, I WITNESSED IT
 16 BECAUSE I WAS THERE WHEN HE GOT SHOT, BECAUSE I GOT IN FRONT,
 17 I BLOKED THE POLICE BECAUSE HE WAS SHOT, ON THE GROUND, AND
 18 THEY WERE GOING TO SHOOT HIM ACAIN. I STOOD IN FRONT OF HIM
 19 TO KEEP THEM FROM KILLING HIM.

20 REPRESENTATIVE DUMAS: CONTINUE; SAY ANYTHING
 21 ELSE THAT YOU REMEMBER.

22 A. THERE IS; I JUST CAN'T GET IT TOGETHER
 23 RIGHT NOW.

24 REPRESENTATIVE DUMAS: TAKE YOUR TIME. WHAT
 25 CAUSED THE POLICE TO APPROACH YOUR SON ORIGINALLY?

1 A. THEY CAME TO THE HOUSE TO ARREST HIM FOR A
2 BURGLARY THAT HE WAS BEING ASKED ABOUT, AND WELL, THIS IS
3 WHEN THEY SHOT HIM, WHEN THEY CAME TO THE HOUSE TO ARREST
4 HIM. THEY SHOT HIM ON THE STREET BEFORE HE GOT IN THE HOUSE,
5 ON 61ST STREET IN AUGUST OF 1970.

6 REPRESENTATIVE DUMAS: WHAT PORTION OF HIS HEAD
7 WAS INJURED?

8 A. HE WAS SHOT IN THE BACK OF THE HEAD.

9 REPRESENTATIVE DUMAS: SHOT IN THE BACK OF THE
10 HEAD?

11 A. RIGHT.

12 REPRESENTATIVE DUMAS: APPARENTLY AS HE WAS
13 FLEEING THE SCENE OR ATTEMPTING TO ENTER THE HOME?

14 A. YES.

15 REPRESENTATIVE DUMAS: HE WAS IN THE DIRECTION
16 OF HIS HOME, YOUR HOME, WHEN HE WAS SHOT IN THE BACK OF THE
17 HEAD?

18 A. RIGHT.

19 REPRESENTATIVE DUMAS: IS THERE ANYTHING
20 FURTHER?

21 A. WHAT MORE DO I NEED TO SAY; WHAT MORE COULD
22 THEY DO TO HIM. THEY BEAT HIM; SHOT HIM AND THEY WANTED
23 EVIDENTLY, TO KILL HIM, BUT BY MY BLOCKING HIM, THEY DIDN'T
24 SHOOT HIM ANY MORE. THEY WERE GOING TO FINISH HIM OFF WHEN I
25 GOT IN FRONT OF HIM. 1970.

1 REPRESENTATIVE DUMAS: WHAT PORTION OF HIS HEAD
2 WAS INJURED?

3 A. HE WAS SHOT IN THE BACK OF THE HEAD.

4 REPRESENTATIVE DUMAS: SHOT IN THE BACK OF THE
5 HEAD?

6 A. RIGHT.

7 REPRESENTATIVE DUMAS: APPARENTLY AS HE WAS
8 FLEEING THE SCENE OR ATTEMPTING TO ENTER THE HOME?

9 A. YES.

10 REPRESENTATIVE DUMAS: HE WAS IN THE DIRECTION
11 OF HIS HOME, YOUR HOME, WHEN HE WAS SHOT IN THE BACK OF THE
12 HEAD?

13 A. RIGHT.

14 REPRESENTATIVE DUMAS: IS THERE ANYTHING
15 FURTHER?

16 A. WHAT MORE DO I NEED TO SAY; WHAT MORE COULD
17 THEY DO TO HIM. THEY BEAT HIM; SHOT HIM AND THEY WANTED
18 EVIDENTLY, TO KILL HIM, BUT BY MY BLOCKING HIM, THEY DIDN'T
19 SHOOT HIM ANY MORE. THEY WERE GOING TO FINISH HIM OFF WHEN I
20 GOT IN FRONT OF HIM.

21 REPRESENTATIVE DUMAS: WHAT IS YOUR SON
22 SUPPOSED TO HAVE ROBBED?

23 A. SOME DOCTOR.

24 REPRESENTATIVE DUMAS: DID THE DOCTOR IDENTIFY
25 YOUR SON?

1 A. THEY DIDN'T PUT HIM IN A LINE-UP. THEY
2 SHOWED SOME PICTURE TO SOME WOMAN, BY THE POLICE, AND THAT IS
3 WHAT THEY ARRESTED HIM ON, TRUMPED-UP CHARGES. THEY HAD NO
4 EVIDENCE WHEN THEY ARRESTED HIM.

5 REPRESENTATIVE DUMAS: WHY DIDN'T YOU HAVE AN
6 ATTORNEY, MRS. DOCKINS, TO REPRESENT YOUR SON AT THAT TIME?

7 A. WE HAD AN ATTORNEY TILL THE MONEY RAN OUT.
8 I TOLD YOU HE WAS HELD TWO HUNDRED AND FORTY DAYS BEFORE IT
9 WAS BROUGHT TO COURT. BY THEN, WE HAD NO MONEY.

10 REPRESENTATIVE DUMAS: COULD YOU HAVE GOT LEGAL
11 COUNSEL?

12 A. ALL THIS WENT ON WHILE HE WAS IN PRISON.

13 REPRESENTATIVE DUMAS: HOW ABOUT THE LEGAL AID
14 SOCIETY?

15 A. HE DID; I COULD TELL YOU ALL THE DIFFERENT
16 SUITS HE HAS FILED TO GET TO THE COURT OF APPEAL. THEY WERE
17 DENIED; HE WASN'T ALLOWED AN APPEAL BECAUSE THE JUDGE
18 APPOINTED MR. NEEDLEMAN TO BE HIS ATTORNEY FOR THE APPEALS,
19 BUT IT NEVER MATERIALIZED; HE NEVER HAD AN ATTORNEY.

20 REPRESENTATIVE DUMAS: WHAT WAS THE SENTENCE,
21 MRS. DOCKINS?

22 A. TWO CONSECUTIVE TERMS, TEN TO TWENTY.

23 REPRESENTATIVE DUMAS: TEN TO TWENTY, TWO
24 CONSECUTIVE TERMS?

25 A. RIGHT.

1 REPRESENTATIVE DUMAS: IS THERE ANYTHING ELSE
2 THAT YOU CAN REMEMBER IN REFERENCE TO THIS INCIDENT, ANYTHING
3 LEADING UP TO IT?

4 A. THE MAIN THING I WANTED TO BRING OUT IS HOW
5 HE WAS TREATED, DETAINED TWENTY-FOUR HOURS WITHOUT FOOD OR
6 WATER, AND HE WASN'T ALLOWED TO GET IN TOUCH WITH ANYONE. I
7 BELIEVE THEY ARE SUPPOSED TO BE ALLOWED TO MAKE ONE PHONE
8 CALL. HE WASN'T ALLOWED TO DO THAT. HE WASN'T ALLOWED TO
9 HAVE ANYTHING TO DRINK OR EAT.

10 REPRESENTATIVE DUMAS: HOW OLD IS YOUR SON?

11 A. THIRTY-ONE YEARS OLD.

12 REPRESENTATIVE DUMAS: THIRTY-ONE AT THE TIME?

13 A. NO, HE WAS NOT. THIS HAPPENED SEVEN YEARS
14 AGO.

15 REPRESENTATIVE WHITE: EXCUSE ME, MR. CHAIRMAN.
16 WHEN DID THE INCIDENT TAKE PLACE YOU ARE RELATING TO US?

17 A. AUGUST 1970.

18 REPRESENTATIVE WHITE: UNDER WHAT CIRCUMSTANCES
19 DID IT HAPPEN? YOU STATED THAT YOUR SON WAS ON HIS WAY TO
20 YOUR HOME?

21 A. RIGHT.

22 REPRESENTATIVE WHITE: WERE THE POLICE
23 FOLLOWING HIM, OR WERE THEY GOING TO COME INTO YOUR HOME
24 LOOKING FOR HIM?

25 A. I WASN'T OUTSIDE AT THE TIME. HIS WIFE

1 CAME, SHE SAID, CHARLES IS OUT THERE, SHOT TO HIS HEAD. THIS
2 IS WHEN I WENT OUTSIDE.

3 REPRESENTATIVE WHITE: CHARLES LIVES NEAR YOU?

4 A. HE IS IN PRISON.

5 REPRESENTATIVE WHITE: AT THE TIME OF THE
6 INCIDENT, DID HE LIVE NEAR YOU, OR WITH YOU, OR DID HE HAVE
7 HIS OWN HOME?

8 REPRESENTATIVE DUMAS: WHAT HE IS ASKING IS,
9 WHERE DID CHARLES LIVE AT THE TIME OF THE INCIDENT?

10 A. AT THE TIME HE LIVED WITH ME.

11 REPRESENTATIVE DUMAS: HE LIVED WITH YOU?

12 A. YES.

13 REPRESENTATIVE WHITE: CHARLES WAS ON HIS WAY
14 HOME WHEN HE WAS CONFRONTED BY THE POLICE?

15 A. RIGHT.

16 REPRESENTATIVE WHITE: DID YOU KNOW, AS YOU CAN
17 BEST RECOLLECT, WHETHER OR NOT ANY ALTERCATION OR
18 CONFRONTATION BETWEEN YOUR SON AND THE POLICE TOOK PLACE
19 PRIOR TO THE SHOOTING? DID THEY APPROACH HIM OR ASK HIM TO
20 STOP?

21 A. I WASN'T OUTSIDE, LIKE I SAY. WHEN I WENT
22 OUTSIDE, HE WAS ALREADY SHOT.

23 REPRESENTATIVE WHITE: DO YOU HAVE SOMETHING TO
24 ADD, MRS. EDWARDS?

25 MRS. EDWARDS: YES. MY CONCERN WITH THIS CASE

1 TWO-FOLD. NUMBER ONE, MRS. DOCKINS IS MY SISTER-IN-LAW.
2 NUMBER TWO, A LETTER CAME ADDRESSED TO THE COMMUNITY
3 COALITION ON HUMAN RIGHTS, IN CARE OF ME FROM CHARLES
4 DOCKINS, 59658 DRAWER, FROM TRENTON STATE PRISON. HE IS A
5 VERY INTELLIGENT YOUNG MAN. HE VIVIDLY DEPICTS WHAT HAPPENED
6 TO HIM PRIOR TO HIS ARREST, AT THE TIME OF HIS ARREST, AND
7 FIVE YEARS HENCE.

8 REPRESENTATIVE WHITE: WOULD YOU RELATE THAT TO
9 US, PLEASE?

10 MRS. EDWARDS: *DEAR MRS. EDWARDS: I HAVE BEEN
11 CONFINED SINCE SEPTEMBER 13, 1971. I HAVE BEEN TRIED AND
12 CONVICTED FOR BURGLARY, ASSAULT AND ROBBERY. I WAS TRIED AND
13 SENTENCED BY JUDGE EDWARD ROSENWALD, WITHOUT AN ATTORNEY. MY
14 MOTHER AND I HAVE EXHAUSTED EVERY FINANCIAL MEANS TO GAIN AN
15 ATTORNEY. SINCE THEN I HAVE REQUESTED A POST CONVICTION
16 HEARING IN MY BEHALF. JUDGE EDWARD ROSENWALD WAS THE JUDGE
17 THAT HEARD THE CASE TWO HUNDRED AND FORTY DAYS LATE, WITHOUT
18 EVEN A COURT-APPOINTED ATTORNEY. MY APPEAL WAS DENIED BY
19 JUDGE ROSENWALD, AND A FURTHER APPEAL HAS BEEN DIRECTED TO
20 THE SUPERIOR COURT OF PENNSYLVANIA. I HAVE BEEN IN PRISON
21 WITHOUT CONSULTATION BY ANY ATTORNEY FOR THE PAST THREE
22 YEARS. I HAVE MET MANY DIFFERENT RESISTANCES WITH THE PENAL
23 JUSTICE SYSTEM, SIMPLY BECAUSE THE JUDGE IS JEWISH, AND THE
24 ORIGINALLY APPOINTED ATTORNEY WAS JEWISH, AND I AM A MUSLIM.
25 I WAS NOT PLACED BEFORE A LINE-UP UPON MY ARREST. A PHOTO

1 WAS GIVEN TO THE ACCUSED WHO STATED IT WAS ME. FURTHER
2 TESTIMONY DISCLOSED THAT I WAS WEARING GLASSES. I REQUESTED
3 TO HAVE AN EYE DOCTOR EXAMINE MY EYES. I HAVE NEVER WORN
4 GLASSES. I HAVE TWENTY-TWENTY VISION.

5 I HAVE EXHAUSTED EVERY CONCEIVABLE MEANS FOR
6 HELP. I URGE THAT YOU AND YOUR ORGANIZATION CALL THIS TO THE
7 IMMEDIATE ATTENTION OF THE DISTRICT ATTORNEY, ED RENDELL. I
8 FILED A CIVIL SUIT WITH A JAILHOUSE-LAWYER. THE ARRESTING
9 DETECTIVES NOT ONLY SHOT ME IN THE HEAD, WHIPPED AND BEAT ME
10 ABOUT THE FACE AND BODY, BUT STOLE TWO THOUSAND DOLLARS THAT
11 WAS IN MY PRESENCE. THERE HAS NEVER BEEN A POSITIVE
12 IDENTIFICATION THAT I WAS THE ACCUSED.

13 PLEASE AT ONCE SPEAK TO THE DISTRICT
14 ATTORNEY ABOUT HAVING THIS CASE DISMISSED BECAUSE THERE IS
15 ABSOLUTELY NO EVIDENCE FOR CONVICTION EXCEPT MY RELIGIOUS
16 FAITH.'

17 WELL, THAT IS THE FACTS THAT HE HAS
18 PRESENTED TO ME, AND I WOULD LIKE TO CALL YOUR ATTENTION HE
19 HAS ASKED FOR A POST CONVICTION HEARING; THE DATE HAS NOT
20 BEEN SET. THIS IS THE TRANSCRIPT FROM THE ORIGINAL TRIAL.
21 HE HAD NEEDLEMAN, AND HE DISCHARGED NEEDLEMAN AND ASKED FOR A
22 NEW ATTORNEY. JUDGE ROSENWALD DIDN'T APPOINT AN ATTORNEY;
23 THEY WENT AHEAD WITH THE CASE; NO ATTORNEY, NO POSITIVE
24 IDENTIFICATION, NEVER HAD A LINE-UP. AND THE FACT REMAINS,
25 THE LENGTH OF TIME BETWEEN HIS INCARCERATION AND THE TIME OF

1 THE FIRST TRIAL WAS TWO HUNDRED AND FORTY DAYS.

2 REPRESENTATIVE DUMAS: HE DID HAVE NEEDLEMAN,
3 ABRAHAM NEEDLEMAN?

4 MRS. EDWARDS: YES.

5 REPRESENTATIVE DUMAS: HE WAS A PAID ATTORNEY,
6 NOT APPOINTED BY THE COURT?

7 MRS. EDWARDS: PAID AT THE TIME AND THE FAMILY
8 RAN OUT OF MONEY. IN OTHER WORDS, WHATEVER EXCESSIVE FEE HE
9 HAD, THEY COULDN'T COMPETE. HE REQUESTED A COURT-APPOINTED
10 ATTORNEY. THE HEARING WENT ON WITHOUT AN ATTORNEY.

11 REPRESENTATIVE DUMAS: THANK YOU, MRS. EDWARDS
12 FOR SHEDDING SOME MORE LIGHT ON THE CASE. REPRESENTATIVE
13 WHITE?

14 REPRESENTATIVE WHITE: I WILL YIELD TO
15 REPRESENTATIVE RICHARDSON.

16 REPRESENTATIVE RICHARDSON:

17 Q. MRS. DOCKINS, I WANTED TO GET INTO THE FACT
18 THAT THE TIME PERIOD WAS -- IN WHAT PART OF THE CITY DID THIS
19 OCCUR, IN AUGUST OF 1970?

20 A. 61ST AND ARCH, BETWEEN ARCH AND RACE.

21 Q. ARCH AND RACE?

22 A. RIGHT.

23 Q. THAT IS IN WHAT POLICE DISTRICT?

24 A. I DON'T KNOW.

25 Q. THE NINETEENTH, I BELIEVE?

1 A. RIGHT.

2 MRS. EDWARDS: IT OCCURRED IN THE NINETEENTH,
3 BUT THE ARREST WAS AT IN THE EIGHTEENTH, WHICH IS 55TH AND
4 PINE.

5 REPRESENTATIVE DUMAS: THE CHAIR RECOGNIZES
6 THAT THAT WAS ESTHER EDWARDS THAT SPOKE.

7 REPRESENTATIVE RICHARDSON:

8 Q. WHAT I WANT TO GET TO IS THE FACT THAT THE
9 POLICE WHO CAME ON THE SCENE, AT THE TIME OF THE INCIDENT,
10 HOW DID THEY GET TO 61ST AND ARCH STREET AT THAT POINT? WERE
11 THEY AT THE HOUSE ALREADY, WAITING FOR HIM?

12 A. THEY MUST HAVE BEEN.

13 Q. YOU DIDN'T KNOW THAT; YOU WERE INSIDE; YOU
14 COULD NOT ESTABLISH THAT, BUT YOU KNOW THEY WERE THERE?

15 A. I WASN'T OUTSIDE UNTIL AFTER HE WAS SHOT.

16 Q. DID YOU HEAR A NOISE OUTSIDE?

17 A. HE WAS ON THE GROUND. THE POLICEMAN WAS
18 TRYING TO SHOOT HIM. THIS IS WHEN I BLOCKED HIM.

19 Q. IS THAT WHEN YOU WENT OUTSIDE?

20 A. YES.

21 Q. HOW DID YOU KNOW --

22 A. HIS WIFE CAME IN AND GOT ME, RAN IN THE
23 HOUSE AND TOLD ME THEY HAD SHOT HIM.

24 Q. WHERE WAS HE WHEN YOU WENT OUTSIDE?

25 A. ON THE GROUND.

1 Q. BACK OR FRONT, WAS HE LYING ON HIS STOMACH
2 OR HIS BACK, IF YOU REMEMBER?

3 A. I THINK HE WAS LYING -- HE WASN'T ALL THE
4 WAY DOWN, HIS FACE WASN'T ALL THE WAY DOWN.

5 Q. I WANT TO KNOW HOW DID YOU BLOCK HIM -- DID
6 YOU THROW YOURSELF OVER HIM?

7 A. I GOT IN FRONT OF HIM.

8 Q. YOU STOOD IN FRONT OF HIM?

9 A. YES.

10 Q. WHAT DID THE POLICE OFFICER SAY TO YOU?

11 A. I SAID, DON'T SHOOT HIM; HE HAD ALREADY SHOT
12 -- DON'T SHOOT HIM NO MORE. HE SAID, YOU HAVE TO GET OUT OF
13 THE WAY. I SAID, THIS IS MY CHILD. YOU WILL HAVE TO KILL ME
14 FIRST.

15 Q. WHAT WAS THE RESPONSE AFTER THAT?

16 A. WELL, THE POLICE HAD COME. THIS WAS
17 DETECTIVES; THEY WERE IN PLAIN CLOTHES.

18 Q. PLAIN CLOTHES -- DETECTIVES FIRST?

19 A. THEN THE POLICE CAME, WITH THE RIOT GUNS,
20 THOSE GUNS. IT WAS THREE OF THEM, AND ME AND TWO OTHER
21 SISTERS OUT THERE. WE JUMPED IN FRONT OF THOSE GUNS, TO KEEP
22 THEM FROM USING THEM.

23 Q. ALL THE TIME YOUR SON IS LYING ON THE
24 GROUND, YOU INDICATED TO US?

25 A. RIGHT.

1 Q. HOW MUCH TIME HAD ELAPSED?

2 A. ONLY A FEW MINUTES WHEN THIS HAPPENED. THEY
3 CAME, ME AND THE SISTERS WERE STANDING IN FRONT OF THE POLICE
4 GUNS. THEN THEY THREW HIM IN THE POLICE WAGON, AND TOOK HIM
5 -- I DON'T KNOW WHERE THEY TOOK HIM.

6 Q. YOU FOUND OUT LATER ON HE WAS AT 55TH AND
7 PINE?

8 A. RIGHT.

9 Q. AND HE WAS ON THE GROUND UNTIL THE TIME HE
10 LEFT AND WENT TO THE DISTRICT. WAS HE TAKEN TO THE HOSPITAL
11 BEFORE HE GOT TO 55TH AND PINE OR AFTERWARDS?

12 A. NO, HE WAS NOT. THEY PUT HIM IN THE POLICE
13 WAGON. AT FIRST THEY TOOK HIM TO 61ST. AT 55TH AND PINE
14 THEY BEAT HIM THERE AND SHACKLED HIM TO A CHAIR, AND BEAT HIM
15 AND KICKED HIM, AND PUT GUNS TO HIS HEAD, AND MADE ALL KINDS
16 OF DEROGATORY REMARKS, AND AFTER ALL THIS THEY TOOK HIM TO
17 P.G.H. TO HAVE THE DOCTOR DO SOMETHING TO HIM THERE. THEN
18 THEY BROUGHT HIM BACK TO THE POLICE STATION, AND BEAT HIM
19 AGAIN.

20 Q. DID YOU EVER GET A MEDICAL EXAMINATION
21 REPORT OF WHAT WAS WRONG WITH YOUR SON? FOR INSTANCE, THAT
22 BULLET THAT SHOT YOUR SON, WAS IT LODGED IN HIS HEAD OR
23 GRAZED THE HEAD?

24 A. NO, I DID NOT.

25 Q. TO THIS DAY, DO YOU KNOW WHETHER OR NOT A

1 BULLET IS LODGED INSIDE YOUR SON'S HEAD; DO YOU KNOW WHETHER
2 OR NOT THE INVESTIGATION WAS EVER DONE ON THAT?

3 A. I DON'T KNOW. I DON'T KNOW THAT.

4 REPRESENTATIVE DUMAS: ANY FURTHER QUESTIONS,
5 REPRESENTATIVE RICHARDSON?

6 REPRESENTATIVE RICHARDSON:

7 Q. IF YOU LOOK BACK OVER THAT PERIOD OF TIME,
8 WHEN THIS HAPPENED AT 61ST AND ARCH, TILL NOW, THE MONEY THAT
9 HE HAD ON HIM --

10 A. YES.

11 Q. -- AND DETECTIVE VITCOW WAS THERE, WAS THERE
12 EVER ANY INVESTIGATION DONE ON HIS PROPERTY THAT HE HAD ON
13 HIS PERSON?

14 A. WELL, HE HAD A SUIT IN AGAINST THE POLICE,
15 BUT THEY HAVEN'T ANSWERED IT.

16 Q. THEY HAVEN'T ANSWERED IT BECAUSE THE OTHER
17 CASE HAD NOT BEEN RESOLVED, AND YOU ARE STILL APPEALING THAT
18 CASE?

19 A. I THINK THEY ARE DELAYING FOR ANY REASONS THEY
20 CAN FIND. THEY DON'T WANT HIM TO BRING IT TO COURT.

21 REPRESENTATIVE DUMAS: YOUR SON'S CASE, WHERE HE
22 HAS BEEN CONVICTED ON TWO COUNTS OF TEN TO TWENTY, ON TWO
23 COUNTS, IS IT UNDER APPEAL NOW?

24 A. I THINK SO.

25 REPRESENTATIVE DUMAS: IS THAT APPEAL BEFORE

1 THE SUPERIOR COURT?

2 A. I THINK SO.

3 REPRESENTATIVE DUMAS: CONTINUE YOUR
4 QUESTIONING.

5 MRS. EDWARDS: BEFORE THE SUPERIOR COURT. WHEN
6 THEY CAME TO ARREST HIM, THEY CAME WITHOUT A WARRANT. WELL,
7 THEY TOOK HIM TO THE POLICE STATION, AND THEY STATED THAT THE
8 CHARGE WAS HOMICIDE. IT WAS LATER CHANGED TO BURGLARY AND
9 ROBBERY.

10 REPRESENTATIVE DUMAS: WHEN YOU SAY LATER --
11 COME UP HERE, PLEASE, MRS. EDWARDS.

12 MRS. EDWARDS: THESE ARE NOTES FROM TESTIMONY
13 FROM NEEDLEMAN; WHEN THE DEFENDANT WAS ARRESTED, HE WAS CHARGED
14 WITH HOMICIDE.

15 REPRESENTATIVE DUMAS: HOMICIDE?

16 MRS. EDWARDS: IT WAS CHANGED AFTER EXTENSIVE
17 INTERROGATION AND BEATING.

18 REPRESENTATIVE DUMAS: GO AHEAD.

19 REPRESENTATIVE RICHARDSON:

20 Q. WAS THE CORPSE FOUND IN THE HOMICIDE?

21 A. I DON'T KNOW ANYTHING ABOUT IT.

22 Q. DO YOU KNOW ANYTHING ABOUT THIS ALLEGED
23 MURDER?

24 A. NO.

25 Q. IT IS QUITE OBVIOUS THAT THE CITY DIDN'T

1 KNOW ANYTHING ABOUT IT EITHER.

2 A. NO.

3 Q. WHERE DID YOU LOOK FOR REDRESS AFTER THIS,
4 WHERE DID YOU LOOK FOR SOME TYPE OF RELIEF, WHERE DID YOU GO
5 IN TERMS OF HAVING -- IN THE CITY OF PHILADELPHIA, NOTING
6 THAT THIS SITUATION HAD OCCURRED, WHERE DID YOU GO TO GET
7 SOME HELP?

8 A. WELL, I HAVEN'T REALLY; MY SON DID MOST OF
9 IT. THE SUIT HE HAS FILED AGAINST THE POLICE WAS ONE OF THE
10 THINGS HE DID. WE HAVE BEEN TRYING TO DO ALL THESE THINGS --
11 WITH ALL OF THIS, I HAVE BEEN SO BOGGED DOWN, JUST TO KEEP MY
12 SANITY --

13 REPRESENTATIVE DUMAS: IT PLAYED A GREAT DEAL
14 IN MENTAL ANGUISH?

15 A. YES. MY NERVES ARE A WRECK.

16 REPRESENTATIVE DUMAS: HAVE YOU BEEN FIGHTING
17 FOR EIGHT YEARS?

18 A. YES.

19 REPRESENTATIVE RICHARDSON:

20 Q. YOU HAVE NOT GOTTEN REDRESS YET, TRYING TO
21 FIND OUT WHAT HAD HAPPENED?

22 A. NONE WHATSOEVER. I KNOW THEY DON'T PAY US
23 ANY ATTENTION -- MINORITIES, BLACK OR WHAT HAVE YOU, WHATEVER
24 YOU WANT TO CALL US. TO THEM WE ARE JUST A BUNCH OF
25 ANIMALS.

1 Q. WOULD YOU SAY THAT IS THE KIND OF ATTITUDE
2 THAT PERSISTS HERE IN THIS CITY?

3 A. YES, I WOULD SAY YES INDEED.

4 REPRESENTATIVE DUMAS: I BELIEVE MRS. EDWARDS
5 HAS SOMETHING TO SAY ON THE QUESTION YOU ARE GETTING TO.

6 MRS. EDWARDS: I SHOULDN'T HAVE LEFT THE TABLE.
7 IT IS SIGNIFICANT TO NOTE THAT ABRAHAM NEEDLEMAN REPRESENTED
8 HIM, BELIEVED IN THE MAN, BELIEVED IN THE CASE AND BELIEVED
9 IN THE JUSTICE SYSTEM, TILL THE MONEY RAN OUT. THOUSANDS AND
10 THOUSANDS OF DOLLARS HAD BEEN PAID TO ABRAHAM NEEDLEMAN.
11 THIS SON WROTE TO HIS MOTHER AND TO ME AND ASKED US NOT TO
12 GIVE ANOTHER ATTORNEY A DOLLAR, NOT ONE DOLLAR. MR.
13 NEEDLEMAN HAD THIS WOMAN BORROW MONEY. SHE PAID HIM AS OFTEN
14 AS SHE COULD POSSIBLY SCRAPE UP THE MONEY AND EARN IT. HE
15 WOULD RATHER REMAIN IN PRISON THAN PAY ANOTHER ATTORNEY. MR.
16 NEEDLEMAN WAS RESPONSIBLE FOR THOSE NOTES OF TESTIMONY. HE
17 WAS RESPONSIBLE FOR HAVING THIS IN HIS POSSESSION.

18 THE JAILHOUSE LAWYER FILED A NEW PETITION.
19 HE HAS SOUGHT HELP THROUGH STATE REPRESENTATIVES, THROUGH THE
20 CRIMINAL JUSTICE SYSTEM THROUGH FILCOP, THROUGH OTHER
21 AGENCIES, AND FINALLY DIRECTED THIS MATERIAL AND THIS LETTER
22 TO ME.

23 REPRESENTATIVE DUMAS: CONTINUE, PLEASE.

24 REPRESENTATIVE RICHARDSON:

25 Q. REMEMBERING THAT, IT IS CLEAR THAT YOU WOULD

1 SAY TO THIS COMMITTEE, YOU WENT TO WHAT YOU FELT WAS THE
2 PROPER LEGAL RESOURCES THROUGH A LAWYER, AND YOU WERE RIPPED
3 OFF BY THAT SYSTEM?

4 A. THAT IS TRUE.

5 Q. DID YOU EVER FILE A COMPLAINT AGAINST
6 NEEDLEMAN?

7 A. NO, I HAVEN'T. ONE THING I FAILED TO TELL
8 YOU, AT THE TIME HE WAS ARRESTED, THE POLICE TRIED TO ARREST
9 ME, TOO. AND I COULDN'T EVEN GO TO MY SON'S TRIAL. I WAS
10 SCARED THEY WOULD ARREST ME, AND I HAD TO GO AND LEAVE MY
11 HOME, BECAUSE OF HARASSMENT FROM THE POLICE DEPARTMENT.

12 REPRESENTATIVE DUMAS: WOULD YOU EXPLAIN TO THE
13 PANEL, WHEN YOU SAY THE POLICE TRIED TO ARREST YOU, TOO?

14 A. THEY CAME TO MY HOUSE, AND TRIED TO ARREST
15 ME BEFORE THIS HAPPENED, AND GOT IN TOUCH WITH AN ATTORNEY --
16 I DIDN'T, BUT SOMEONE ELSE DID AND -- MAY THE WITNESS

17 REPRESENTATIVE DUMAS: WHAT PREVENTED THEM FROM
18 ARRESTING YOU?

19 A. HE DID, HE TOLD THEM, THEY DIDN'T DO IT.
20 AFTER I SEEN WHAT THEY DID TO MY SON, I WASN'T GOING NO
21 PLACE, RIGHT IN THEIR ARMS. I MOVED FROM PLACE TO PLACE. I
22 COULDN'T STAY HOME. I WAS SCARED.

23 REPRESENTATIVE RICHARDSON: HOW MUCH MONEY DID
24 YOU PAY?

25 A. ABRAHAM NEEDLEMAN?

1 REPRESENTATIVE RICHARDSON: YES.

2 A. I CAN'T REMEMBER NOW. THREE THOUSAND DOLLARS,
3 I THINK.

4 MRS. EDWARDS: OVER THREE THOUSAND DOLLARS.

5 REPRESENTATIVE RICHARDSON: THE REASON I AM
6 ASKING YOU IS BECAUSE MY NEXT QUESTION IS, IN FOLLOWING UP,
7 HAS SHE GONE TO THE BAR ASSOCIATION TO REGISTER A CLAIM
8 AGAINST WHAT NEEDLEMAN HAS DONE?

9 A. I DIDN'T KNOW I COULD DO THAT. I THOUGHT
10 ABOUT DOING IT.

11 REPRESENTATIVE DUMAS: DO YOU HAVE RECEIPTS FOR
12 THE MONEY YOU PAID ABRAHAM NEEDLEMAN?

13 A. I FOUND A COUPLE; I HAVE A FEW. I COULD
14 LOOK AROUND.

15 REPRESENTATIVE RICHARDSON: ABOUT THOSE KINDS
16 OF THINGS, SAYING WE DON'T HAVE RECEIPTS, AND AGAIN,
17 RECOGNIZING THOSE THINGS HAD HAPPENED, IN 1978 HE HAS BEEN TO
18 COURT AND BEEN TRIED. WAS ANYTHING EVER DONE ABOUT THE
19 SHOOTING OF YOUR SON? WAS THIS EVER BROUGHT UP OR DISCUSSED
20 AT ANY TRIAL OR THE OFFICER CHARGED WITH ANYTHING ON THE OFFICERS?

21 A. WELL, I REALLY DON'T KNOW. SEE, WHEN HE
22 WAS ARRESTED, THAT NIGHT HE TOLD US BY US BEING OUT THERE IN
23 FRONT OF THE GUNS, THESE CHARGES WERE AGAINST HIM INSTEAD OF
24 US. I DON'T KNOW WHAT ELSE --

25 REPRESENTATIVE RICHARDSON: THE MOST IMPORTANT

1 THING I AM TRYING TO GET TO RELEVANT TO THE BEATING AND
2 SHOOTING OF THE POLICE. THAT HAS NEVER EVER COME UP?

3 A. NOTHING. WE NEVER DID ANYTHING BECAUSE WE
4 FIGURED THEY WOULDN'T DO ANYTHING. WE KNOW THE POLICE DO AS
5 THEY PLEASE. WHY TRY TO DO ANYTHING.

6 MRS. EDWARDS: HE FILED HIS CIVIL COMPLAINT,
7 HIS CIVIL SUIT WAS FILED JUST ONE YEAR AGO, AFTER HE GOT TO
8 TRENTON STATE. HE FOUND HE HAD HELP WITHIN THE INSTITUTION,
9 HELP FROM THE JAILHOUSE LAWYER, FROM THE SOCIAL WORKERS.
10 THAT IS WHEN HE FILED A CIVIL SUIT. NEVER WHILE IN
11 HUNTINGDON EVER TRIED TO GET ANY JUSTICE FROM THE CRIMINAL
12 COURT SYSTEM HERE.

13 REPRESENTATIVE DUMAS: HE IS IN TRENTON?

14 A. HE HAS FINALLY ENDED UP IN TRENTON.

15 REPRESENTATIVE DUMAS: HE COMMITTED A CRIME IN
16 PENNSYLVANIA AND HE ENDED UP IN TRENTON?

17 A. HE TRANSFERRED TO TRENTON. SO MUCH HAPPENED
18 IN HUNTINGDON; HE HAD GOT BEAT UP IN HUNTINGDON. WE HAD HIM
19 TRANSFERRED TO NEW JERSEY.

20 REPRESENTATIVE RICHARDSON: I CAN TESTIFY TO
21 THAT; I HAVE PERSONAL KNOWLEDGE ABOUT HIM BEING TRANSFERED TO
22 NEW JERSEY BECAUSE OF THE PROBLEMS IN PENNSYLVANIA. IT WAS
23 NOT FELT THAT THE GENTLEMAN WOULD BE SAFE IN ANY INSTITUTION
24 IN PENNSYLVANIA. IF HE WAS IN A NEW SYSTEM IN NEW JERSEY, HE
25 MIGHT HAVE BETTER RELIEF.

1 A. NO PROBLEMS OVER THERE.

2 REPRESENTATIVE RICHARDSON: JUST TO SHOW YOU
3 HOW THE PROBLEM IS, FROM THE POLICE TO THE COURTS TO THE
4 JAILS, IT SEEMS TO BE A KIND OF CONSPIRACY. I WAS NOTIFIED
5 BY MRS. DOCKINS AND HELPED TO ASSIST HIM IN GETTING
6 TRANSFERRED.

7 REPRESENTATIVE DUMAS: THANK YOU.

8 REPRESENTATIVE RICHARDSON: NO FURTHER
9 QUESTIONS. I WOULD SAY, MR. CHAIRMAN, THE MATTER HAS BEEN
10 BROUGHT TO OUR ATTENTION HERE THIS EVENING, BY MRS. DOCKINS.
11 IT IS JUST ANOTHER OCCASION THAT THERE HAS TO BE SOME REDRESS
12 CONCERNING THIS PROBLEM. I WOULD HOPE THIS COMMITTEE WOULD
13 NOT TAKE IT LIGHTLY.

14 REPRESENTATIVE DUMAS: THAT IS OUR PURPOSE FOR
15 BEING HERE TO HEAR MATTERS SUCH AS THIS, SUCH AS MRS.
16 DOCKINS, AND WE ARE GOING TO PRESS FOR LEGISLATION THAT IS
17 GOING TO ALLEVIATE SUCH INJUSTICES.

18 REPRESENTATIVE WHITE, WOULD YOU LIKE TO SAY
19 SOMETHING?

20 REPRESENTATIVE WHITE:

21 Q. JUST TWO QUESTIONS. MRS. DOCKINS, DID YOUR
22 SON HAVE A PRIOR ARREST RECORD?

23 A. YES.

24 Q. WHAT WERE THOSE CHARGES?

25 A. HIS PRIOR RECORD -- LET ME SEE.

1 REPRESENTATIVE DUMAS: IF YOU DON'T REMEMBER,
2 SAY IT.

3 A. I DON'T REMEMBER. IT IS SO LONG AGO.

4 REPRESENTATIVE WHITE:

5 Q. DID YOU EVER IDENTIFY THE OFFICERS THAT WERE
6 INVOLVED?

7 A. NO.

8 Q. INVOLVED IN THE SHOOTING?

9 A. NO.

10 Q. WHY NOT?

11 A. WELL, LIKE I TOLD YOU, AT THE TIME WE HAD NO
12 CONFIDENCE IN THEM PAYING US ANY ATTENTION. WE FIGURED THEY
13 DO WHAT THEY WANT; THE POLICE DOES AS THEY PLEASE.

14 Q. DO YOU KNOW WHO THE POLICE OFFICER WAS WHO
15 SHOT YOUR SON?

16 A. YES.

17 MRS. EDWARDS: HE CAN IDENTIFY THE POLICE
18 OFFICER; HE DOCUMENTS EVERYTHING THAT HAPPENS.

19 REPRESENTATIVE WHITE: WHERE DID YOUR SON FILE
20 THAT CIVIL COMPLAINT?

21 A. WITH THE COMMONWEALTH OF PENNSYLVANIA.

22 MRS. EDWARDS: INDICTMENT NUMBER 285, 286.

23 REPRESENTATIVE WHITE: DO YOU KNOW WHAT COURT
24 THAT IS?

25 MRS. EDWARDS: COURT OF COMMON PLEAS CIVIL

1 SUIT. THE COURT HAS APPOINTED AN ATTORNEY, LEE MANDELL, ON
2 THE EIGHTH FLOOR OF THE ROBINSON BUILDING. HE HAS PETITIONED
3 FOR THE MAN'S RELEASE.

4 REPRESENTATIVE DUMAS: IS THERE ANY OTHER
5 QUESTIONS OF THE PANEL FOR MRS. DOCKINS?

6 (NO RESPONSE.)

7 REPRESENTATIVE DUMAS: WE CERTAINLY WANT TO
8 THANK YOU FOR COMING TODAY AND FOR YOUR TESTIMONY, AND WE
9 WANT TO THANK MRS. EDWARDS FOR SHEDDING SOME LIGHT ON THIS
10 AND FOR WHAT YOU HAD TO SAY.

11 A. I HOPE SOMETHING WILL COME OF IT.

12 REPRESENTATIVE DUMAS: THIS COMMITTEE IS HERE
13 FOR THE PURPOSE OF TRYING TO GET ENOUGH EVIDENCE TO ENCOURAGE
14 OUR COLLEAGUES BACK IN HARRISBURG TO GET SOME KIND OF BILL
15 PASSED, SOME TYPE OF BODY THAT CAN CONTROL THE ACTIONS THAT
16 HAVE BEEN ALLEGED AGAINST THE POLICE, AND I WANT TO THANK YOU
17 AGAIN.

18 A. THANK YOU.

19 (WITNESS EXCUSED.)

20 REPRESENTATIVE DUMAS: OUR NEXT WITNESS IS
21 JESSE FITZGERALD. MR. FITZGERALD, WILL YOU COME UP AND TAKE
22 A SEAT?

23 MR. FITZGERALD, DO YOU HAVE SUBPOENA IN
24 YOUR POSSESSION?

25 MR. FITZGERALD: YES, I DO.

1 A. I WAS -- I AM A WINDOW CLEANER. I HAD BEEN
2 WORKING THAT DAY. I HAD TO BE TO WORK AT FIVE O'CLOCK AT
3 THAT TIME. I HAD BEEN OFF AT ONE O'CLOCK. I COME HOME FROM
4 WORK; MY WIFE WANTED TO GO TO THE BEAUTY PARLOR. I TOOK HER
5 THERE. I HAD A THREE- YEAR OLD BABY AT THE TIME. I HAD
6 BROUGHT A LITTLE GERMAN SHEPHERD DOG. THERE WAS A GROCERY
7 STORE ACROSS THE STREET, A PUERTO RICAN WOMAN THAT RUNS THE
8 GROCERY STORE. THEY HAD A GREAT DANE, AND HER AND I WAS
9 TALKING ABOUT DOGS. WE HAD BEEN STANDING THERE TALKING FOR
10 AN HOUR, TALKING. AT THE TIME ANOTHER COLORED FELLOW CAME
11 OUT IN THE STREET, AND HE RAN AND PULLED OUT A LITTLE PEN
12 KNIFE. I HAD MY BACK TURNED, AND I WAS LOOKING SOUTH ON
13 FRANKLIN STREET, AND THE POLICE WAS COMING DOWN FRANKLIN
14 STREET. SHE BEGGED FOR THE POLICE. THEY PULLED OVER TO THE
15 CURB AND SAW WHO SHE WAS CALLING, AND THEY WALKED INBETWEEN
16 THE MAN AND ME. THEY PUSHED ME ONE WAY AND THE MAN THE OTHER
17 WAY AND TOLD ME AND THE MAN TO GET IN THE CAR. I SAID, GET
18 IN THE CAR FOR WHAT. I HAVEN'T DONE ANYTHING. I AM NOT
19 GETTING IN THE CAR. SHE WAS TRYING TO TELL THE POLICE NOT TO
20 BOTHER ME, THAT SHE DIDN'T CALL THEM FOR ME, BUT FOR THE
21 OTHER MAN. THE OTHER OFFICER GOT OUT OF THE CAR, COME UP IN
22 BACK OF ME -- I DON'T KNOW WHAT HE HAD IN HIS HAND. THE
23 WITNESSES SAID THEY PUT A ROPE AROUND MY NECK, AND CHOKED ME
24 INTO THE FRONT SEAT OF THE CAR,

25 I HAD AN ELEVEN-YEAR OLD SON, -- A NINE-YEAR

1 OLD SON AT THE TIME, AND THE DAUGHTER, AND THE NINE-YEAR OLD
2 SON WAS GRABBING ME AROUND THE WAIST, AND WHEN THEY CHOKED ME
3 INTO THE CAR, HE FELL ON TOP OF ME, AND THEY HIT HIM ON THE
4 HEAD WITH THE BLACKJACK, AND THREW HIM OUT OF THE CAR. I
5 STOPPED AND LAY STILL, AND THEY HANDCUFFED MY HANDS BEHIND
6 ME.

7 AFTER THEY HANDCUFFED ME, I GOT UP MYSELF IN
8 THE CAR, THEY CALLED FOR ANOTHER WAGON AT THAT TIME. ANOTHER
9 WAGON AND POLICE CAR CAME UP. THEY WENT ACROSS THE STREET
10 AND TALKED TO THEM, COME BACK TO THE CAR, AND PULLED ME ON
11 THE HANDCUFFS, AND DRUG ME ACROSS THE STREET TO THE WAGON AND
12 PICKED ME UP AND THREW ME IN THE WAGON, AND CLOSED THE DOOR.
13 I WAS SITTING IN THE WAGON, AND THEY WENT AND TALKED TO THE
14 OTHER POLICE OFFICERS.

15 ALL OF THEM PULLED -- I WAS IN A STATE FOR A
16 WHILE. AFTER A WHILE, THEY PULLED OFF, THEY TOOK ME TO THE
17 26TH DISTRICT, RIGHT THROUGH THE ALLEY PART. THEN WHEN THEY
18 OPENED THE DOOR, THEY TOLD ME TO GET OUT. I STEPPED ON THE
19 FIRST STEP, AND THE DRIVER HIT ME IN THE SIDE. HE WAS GOING
20 TO TEACH ME SOME MANNERS. I SAID, SOME MANNERS FOR WHAT.
21 ALL THE REST OF THEM, THEY HAD A LINE ON EACH SIDE OF THE
22 WAGON INTO THE POLICE STATION. AS I WAS WALKING EACH ONE OF
23 THEM HIT ME. IF I RUN INTO THE STATION, I THOUGHT, THEY
24 WON'T HIT ME. ALL OF THEM WAS BEATING ME. I THOUGHT GOING
25 THROUGH THE DOOR WAS GOING TO STOP THE POLICE FROM BEATING

1 ME.

2 WHEN I SLUMPED, TWO OFFICERS GRABBED ME
3 UNDER THE ARMS, AND DRUG ME UP TO THE DESK. HE SAID, GET HIM
4 OUT OF HERE, I DON'T CARE WHAT YOU DO TO HIM. THEY TOOK ME
5 BACK TO THE WAGON, AND TOOK ME TO ST. LUKE'S HOSPITAL AT
6 EIGHTH AND GIRARD. I ONLY LIVE ONE BLOCK FROM THERE. WHEN
7 THEY TOOK ME THERE, MY KID HAD WENT DOWN TO WHERE MY WIFE
8 WORKS. THEY WENT TO THE POLICE STATION; THEY SAID, THEY
9 DIDN'T KNOW NO JESSE FITZGERALD. SHE SAW THEM CLEANING UP
10 THE BLOOD AND STUFF.

11 THEY TOOK ME TO ST. LUKE'S. I WAS SITTING
12 IN THE CHAIR, AND HE CALLED FOR A DOCTOR, AND A CHINESE LADY
13 DOCTOR, SHE EXAMINED ME AND TOLD ME MY EYE WAS OUT. AT THAT
14 TIME I STOOD UP TO HOLLER -- NOTHING SHE COULD DO FOR ME. I
15 ACTUALLY ASKED, COULD I GO TO WILLS EYE. THE POLICE SAID TO
16 SHUT UP, I DON'T HAVE NOTHING TO SAY. SHE TOLD THE POLICE
17 NOT TO SAY SOMETHING TO ME. THEY SENT ME RIGHT DOWN -- ABOUT
18 THAT TIME A WHOLE LOT OF PEOPLE WAS CROWDING AROUND. THEY
19 TOOK ME TO F.G.H. WHEN I GOT THERE, THE DOCTOR EXAMINED ME
20 AND STICED MY EYE -- STICHES. THEN THEY TOOK ME UP AND PUT
21 ME IN A JAIL IN THE HOSPITAL. SO, I STAYED THERE FOR SEVEN
22 DAYS, AND THEY DIDN'T GIVE ME AN ASPIRIN OR DO NOTHING FOR
23 ME.

24 MY WIFE WAS GOING FROM DISTRICT TO DISTRICT
25 --

1 REPRESENTATIVE WHITE: THEY NEVER NOTIFIED YOUR
2 FAMILY?

3 A. NO, THEY DIDN'T EVEN KNOW MY NAME. THEY
4 GOT MY NAME WHEN I GAVE IT TO THE DOCTOR. AFTER THEY BEAT
5 ME, I WOULDN'T --

6 REPRESENTATIVE DUMAS: WERE YOU CONSCIOUS
7 THROUGHOUT ALL THIS?

8 A. YES, THEY NEVER KNOCKED ME OUT. THEY PUT
9 ME IN A JAIL, AND THEY KEPT ME THERE SEVEN DAYS. AT THE
10 TIME, CECIL MOORE -- AND THEY WAS PICKETING GIRARD COLLEGE
11 THERE -- SO MY WIFE, AFTER SHE COULDN'T FIND ME, TOLD CECIL
12 MOORE'S OFFICE. CECIL MOORE WAS IN THE CITY AT THE TIME, AND
13 OSCAR GASKINS WAS HIS ASSISTANT. SO HE CALLED AND GOT IN
14 TOUCH WITH CECIL MOORE, AND HE COME UP, AND THEY WOULDN'T LET
15 MY WIFE SEE ME. HE MADE THEM BRING ME OUT FROM THE JAIL,
16 SITTING IN THE CHAIR. HE TALKED TO THEM. I WAS A MEMBER OF
17 THE NAACP, A TWO-DOLLAR MEMBER. I DIDN'T HAVE ANY MONEY.
18 THEN HE TALKED TO ME, AND HE ARRANGED FOR A HEARING TO BE AT
19 TWO O'CLOCK THE NEXT DAY, AND HE TOLD ME HE WAS GOING TO GET
20 SOMETHING RESOLVED. THEN THEY TOOK AND OPERATED ON ME THE
21 NEXT MORNING, LIKE FROM EIGHT O'CLOCK TO SIX AT NIGHT, ON MY
22 EYE, NOSE AND JAW.

23 THEN THE NEXT MORNING, AT TWO O'CLOCK, WE
24 WERE SUPPOSED TO HAVE THE HEARING. THEY COME AT ELEVEN
25 O'CLOCK, PUSHED MY BED INTO A ROOM, AND HAD MY HEARING. THEN

1 THEY ASKED DID I HAVE AN ATTORNEY. SO WHEN CECIL MOORE --
2 THEY HAD TRIED TO GET HIM -- HE ASKED ME FOR THE PAPER -- HE
3 FILED A HABEAS CORPUS. THEY GAVE ME A NEW TRIAL AT CITY
4 HALL. JUDGE GREENBERG, HE WAS THE JURIST, AND WE WENT THERE.
5 THAT IS FOURTEEN DAYS OR SO, HAD THE TRIAL AND HE HAD ORDERS
6 FROM HIGHER AUTHORITIES TO MAKE NO RULING ON THIS CASE, LET
7 THE GRAND JURY INDICT ME, AND THE GRAND JURY THEY INDICTED
8 ME. WE WENT TO COURT. TWO YEARS LATER, 1967, THEY HEARD MY
9 CASE. I WAS ACQUITTED, AND THEY HAD ME CHARGED WITH SEVEN
10 DIFFERENT COUNTS. I WAS ACQUITTED ON ALL SEVEN. CECIL MOORE
11 FILED SUIT FOR ONE MILLION DOLLARS. SINCE THAT TIME, AFTER
12 HE FILED SUIT, HE GAVE MY CASE TO DASHIELL. DASHIELL HAD IT
13 FOR ABOUT TWO YEARS.

14 REPRESENTATIVE DUMAS: DASHIELL HAD THE CASE
15 FOR TWO YEARS?

16 A. THEY OFFERED ME SIX THOUSAND DOLLARS. THEN
17 HE GOT A JOB, I THINK, IN MEMPHIS, TENNESSEE, ASSISTANT D.A.
18 OR D.A. THEN HE LEFT AND GAVE THE CASE BACK TO CECIL MOORE.
19 SINCE THAT TIME I HAVEN'T HEARD ANYTHING.

20 THE GIRL I WAS TALKING TO, THEY MADE HER
21 MOVE, MOVE TO JERSEY, GOING OVER AND BRINGING HER BACK AND
22 FORTH TO WORK EVERY DAY, TRYING TO SAY I WAS TRYING TO MOLEST
23 HER.

24 REPRESENTATIVE DUMAS: WHO IS SHE?

25 A. I FORGET THE NAME. THE F.B.I. HAD TO COME

1 AND GO FIND HER. THEY WOULDN'T PRODUCE HER. THEY TRIED TO
2 MAKE HER -- BUT CECIL MOORE WOULDN'T TAKE IT THAT WAY. SHE
3 SAID I HAD BEEN LIVING THERE, LIKE SEVEN YEARS OR SO, AND THEY
4 HAD BEEN LIVING THERE FIVE YEARS, AND WE WERE GOOD NEIGHBORS,
5 AND FRIENDS, AND SHE WASN'T GOING TO SAY WHAT THEY WANTED HER
6 TO SAY.

7 REPRESENTATIVE DUMAS: YOU WERE EXONERATED OF
8 YOUR CHARGES?

9 A. YES.

10 REPRESENTATIVE DUMAS: ANYTHING ELSE YOU CAN
11 REMEMBER PRECEDING THE INCIDENT; AFTER THE INCIDENT?

12 A. A WHITE WITNESS, SHE LIVED ONE DOOR FROM
13 ME. THEY THREATENED HER IN THE COURTROOM, CALLED HER
14 NIGGER-LOVER, ASKED IF I WAS GOING WITH HER AND ALL.

15 REPRESENTATIVE DUMAS: FROM THE PHILADELPHIA
16 POLICE OFFICERS?

17 A. RIGHT. I THINK SHE SINCE THEN -- IT'S BEEN
18 TWELVE YEARS. I DON'T KNOW WHERE SHE IS.

19 I MOVED FROM DOWN THERE TO 552 WEST
20 HUNTINGDON. I HAD BEEN LAYING ON THE CHAIR. HE HAD COME
21 THERE WITH A WARRANT AND TOOK ME TO JAIL. WHEN THEY FOUND
22 OUT CECIL MOORE WAS OUT OF TOWN THEY MOVED IT UP, AND THEN I
23 HAD BEEN IN TOUCH WITH HIS OFFICE AND I CALLED HIM, AND HE
24 HAD COME BACK -- THEY SAID I HIT A LADY'S CAR, DIDN'T STOP.
25 AT THE TIME I DIDN'T HAVE ANY AUTOMOBILE.

1 REPRESENTATIVE DUMAS: THEY HAD ACTUALLY TAKEN
2 YOU TO JAIL FOR HIT-RUN, AND YOU DIDN'T EVEN OWN AN
3 AUTOMOBILE?

4 A. RIGHT.

5 REPRESENTATIVE DUMAS: AND THAT WAS THROWN OUT?

6 A. YES, ALL OF THEM WAS THROWN OUT.

7 REPRESENTATIVE DUMAS: NOT FOUND GUILTY OF
8 ANYTHING?

9 A. NONE. AT THE TIME I HAD GOT BEATEN, I HAD
10 NEVER BEEN ARRESTED BEFORE.

11 REPRESENTATIVE DUMAS: IN YOUR LIFE?

12 A. IN MY LIFE.

13 REPRESENTATIVE DUMAS: INCREDIBLE. IS THERE
14 ANYTHING ELSE YOU COULD THINK YOU WOULD LIKE TO SAY?

15 A. THAT'S ABOUT IT.

16 REPRESENTATIVE DUMAS: I AM GOING TO TURN YOU
17 OVER TO THE PANEL FOR QUESTIONING. I ADMIRE YOU FOR BEING SO
18 COURAGIOUS. IF WHAT YOU SAY IS TRUE, AND YOU HAVEN'T TURNED
19 BITTER, I COMMEND YOU FOR IT.

20 A. WELL, I HAVE A FAMILY OF EIGHT KIDS.

21 REPRESENTATIVE DUMAS: THANK YOU.

22 REPRESENTATIVE RICHARDSON, IS THERE ANY QUESTION YOU WOULD
23 LIKE TO ASK?

24 REPRESENTATIVE RICHARDSON:

25 Q. MR. FITZGERALD, YOU HAVE LOST AN EYE, AND

1 IT CERTAINLY HAS CAUSED YOU MUCH HEARTACHE, AND DISABILITY,
2 TO YOU AND YOUR FAMILY.

3 A. I LOST MY JOB; I COULDN'T CLEAN WINDOWS ANY
4 MORE. I USED TO GO UP ON TALL BUILDINGS, AND STUFF LIKE
5 THAT. AFTER I GOT BEATEN MY BOSS SAID I WAS A RISK; HE
6 COULDN'T TAKE ME BACK TO WORK. MY UNION FOUGHT IT AND MADE
7 HIM TAKE ME BACK. I WORKED TWO MONTHS AFTER. I COULD NEVER
8 GET ALONG WITH HIM NO MORE. HE KEPT ME OUT TWO MONTHS, AFTER
9 THE DOCTOR SAID I COULD GO BACK TO WORK. HE HAD TO PAY ME
10 THE BACK MONEY. WE NEVER GOT ALONG, AND I HAD TO QUIT
11 CLEANING WINDOWS.

12 Q. YOU WERE WITHOUT A JOB?

13 A. YES.

14 Q. AND IT BECAME A HARDSHIP FOR THE FAMILY?

15 A. RIGHT.

16 Q. MR. FITZGERALD, YOU FILED A CIVIL SUIT
17 AGAINST THE POLICE DEPARTMENT HERE?

18 A. YES.

19 Q. HAVE YOU FILED A CRIMINAL SUIT AGAINST THE
20 PHILADELPHIA POLICE DEPARTMENT, MEANING THE OFFICERS THAT
21 BEAT YOU OR TOOK PART IN THIS BEATING? WAS THERE EVER A SUIT
22 FILED AGAINST THEM?

23 A. I DON'T KNOW. I THINK -- I KNOW I SIGNED
24 FIFTEEN DIFFERENT SHEETS FOR FIFTEEN DIFFERENT POLICE
25 OFFICERS AND THE CITY. I THINK IT WAS SIXTEEN DIFFERENT

1 THINGS THAT I SIGNED.

2 Q. I WOULD REQUEST IF YOU HAVE THEM IN YOUR
3 POSSESSION, MR. FITZGERALD, ANY PAPERS CONCERNING THIS ACT IN
4 AUGUST OF 1965, IF YOU HAVE ANY PAPERS, DOCUMENTS, CONCERNING
5 THAT INCIDENT, -- DID YOU KEEP THEM?

6 A. I HAD NEWSPAPERS AND STUFF LIKE THAT. ME
7 AND MY WIFE LOOKED FOR THEM TODAY BEFORE I CAME BACK.

8 Q. DOES CECIL HAVE THEM?

9 A. OH, YES, HE WOULD HAVE EVERYTHING.

10 REPRESENTATIVE RICHARDSON: I WOULD REQUEST,
11 MR. CHAIRMAN, AND ALSO CHIEF COUNSEL, AND CHIEF
12 INVESTIGATOR, MR. BRASWELL, TO CONTACT THE HONORABLE CECIL
13 MOORE, COUNCILMAN HERE IN THE CITY OF PHILADELPHIA, WHO DID
14 IN FACT, HAVE MR. FITZGERALD'S CASE, SO THAT WE MIGHT BE ABLE
15 TO LOOK AT THE RECORDS. I THINK IT WOULD BE PROPER TO OBTAIN
16 THOSE PARTICULAR RECORDS TO LOOK FURTHER INTO THIS CASE.

17 REPRESENTATIVE DUMAS: THOSE RECORDS HAVE
18 ALREADY BEEN MADE AVAILABLE FROM MR. MOORE'S FIRST TESTIMONY
19 AT DREXEL.

20 REPRESENTATIVE RICHARDSON: I WANT TO MAKE SURE
21 THAT WE GET THE RECORDS OF MR. FITZGERALD, BECAUSE HE BROUGHT
22 IT TO OUR ATTENTION.

23 REPRESENTATIVE DUMAS: YOUR POINT IS WELL
24 TAKEN. THANK YOU.

25 REPRESENTATIVE RICHARDSON:

1 Q. I WOULD LIKE TO KNOW, MR. FITZGERALD, SINCE
2 THAT TIME, HAVE YOU IN FACT -- WELL, DID YOU GO TO COURT,
3 THAT IS WHAT I WANT TO KNOW; WHEN DID YOU GO TO COURT, HOW
4 LONG AFTER THAT?

5 A. I WENT TO COURT AND I WAS ACQUITTED.

6 Q. SOMETIME IN 1966?

7 A. 1967. I AM TRYING TO THINK. IT WAS ON THE
8 20TH. I AM TRYING TO THINK WHAT MONTH IT WAS.

9 Q. TAKE YOUR TIME. LET'S ESTABLISH, MR.
10 FITZGERALD, IT WAS NOT 1966?

11 A. NO, WE HAD A HEARING, BUT IT WASN'T A JURY
12 TRIAL. THEY TRIED ME ONCE AT BEDSIDE. THEN CECIL MOORE
13 FILED A WRIT OF HABEAS CORPUS TO GET ME A PRELIMINARY
14 HEARING.

15 Q. A PRELIMINARY HEARING?

16 A. RIGHT, THAT WAS IN CITY HALL. THE JURIST
17 SAID HE COULDN'T RULE ON IT. HE HAD ORDERS FROM HIGHER
18 AUTHORITIES NOT TO RULE ON IT, TO LET THE GRAND JURY INDICT
19 ME. LATER ON THE GRAND JURY INDICTED ME. THEN I WENT TO
20 COURT. FROM THE TIME I LOST MY EYE, UP UNTIL THE TRIAL WAS
21 OVER, I WENT OVER ABOUT SIXTY OR SEVENTY TIMES. WHEN WE GOT
22 IN COURT, I THINK CECIL MOORE POSTPONED TWICE, AND THEY HAD
23 POSTPONED ALL OF THE REST OF THE TIMES IN THE COURT.

24 Q. SO YOU WOULD THINK SOMETIME IN 1967?

25 A. IT WAS IN '67.

1 Q. INDICATING FOR THE RECORD, AT LEAST A YEAR
2 AND A HALF.

3 A. RIGHT.

4 Q. FIRST OF ALL, LET'S ESTABLISH FOR THE RECORD
5 HOW MANY CHILDREN DO YOU HAVE?

6 A. I HAVE EIGHT IN ALL; ONE DIED; SEVEN LIVED.

7 Q. AT HOME WITH YOU?

8 A. ONE IS AWAY, THE REST ARE HOME.

9 Q. THAT WAS YOUR LIVELIHOOD, CLEANING WINDOWS?

10 A. RIGHT.

11 Q. DID ANYONE ELSE IN YOUR HOUSEHOLD WORK?

12 A. WELL, NOW, ONE SON, MY OLDEST SON WORKS FOR
13 THE CITY. HE IS A SOCIAL WORKER. I HAVE ANOTHER SON WHO
14 WORKS FOR THE CITY. HE PICKS UP TRASH -- SANITATION
15 DEPARTMENT. THEN I HAVE ANOTHER; HE IS A GUARD AT THE
16 EPISCOPAL HOSPITAL. HE WENT OUT, AND IS HOME, BUT THE REST OF
17 THEM IS AT HOME, AND MY DAUGHTER, I HAVE A SEVENTEEN-YEAR OLD
18 DAUGHTER, AND I HAVE A FOUR-YEAR OLD DAUGHTER. I HAVE A
19 TWELVE-YEAR OLD SON; AND A TWENTY-ONE, OR TWENTY-FOUR AND
20 TWENTY-THREE YEAR OLD SON.

21 Q. THAT'S VERY GOOD THAT YOU CAN REMEMBER ALL
22 THAT. I WAS TRYING TO FIND OUT AT THE TIME, 1967 --

23 A. AT THE TIME I WAS THE ONLY SUPPORT. THE
24 OLDEST WAS ONLY ELEVEN. YOU CAN FIGURE WHAT THE REST WERE.

25 Q. THAT IS SOME YEARS AGO. THE POINT BEING AT

1 THAT TIME --

2 A. THE THINGS THAT WAS GOING ON, THE DIFFICULTY
3 WITH GIRARD COLLEGE, THEY TRIED TO TIE ME IN WITH THAT. I
4 NEVER MARCHED IN MY LIFE BEFORE THAT. I HAD TO WORK AND TAKE
5 CARE OF MY FAMILY. BUT AT THAT TIME AND EVER SINCE, I WAS A
6 MEMBER OF THE NAACP, A TWO-DOLLAR MEMBER A YEAR. THEY TRIED
7 TO TIE ME IN WITH THAT. THEY TRIED TO HAVE MY TRIAL AT THE
8 SAME TIME THEY HAD SOME OTHERS. AT THAT TIME CECIL MOORE WAS
9 HANDLING MOST OF THOSE.

10 Q. ONE FINAL QUESTION, MR. FITZGERALD. JUST TO
11 ESTABLISH FOR THE RECORD, THAT IN FACT, YOU DID NOT OR ANYONE
12 ELSE IN THE HOUSEHOLD WORKING FOR YOU, DID YOU AT ANY TIME
13 EVER HAVE OCCASION TO FIND OUT WHO THE OFFICER WAS THAT HIT
14 YOU? DID YOU EVER FIND OUT THE NAME OF THAT OFFICER?

15 A. I HAVE ALL FIFTEEN OF THEM, BUT AT THE TIME,
16 THE NIGHT THEY BEAT ME, I DIDN'T KNOW ONE FROM THE OTHER.

17 Q. YOU DIDN'T KNOW YOU HAD LOST YOUR EYE TILL
18 THE DOCTOR TOLD YOU?

19 A. IT WAS A CHINESE DOCTOR. THEY SAY I CURSED
20 AND RAVED AND EVERYTHING. THE DOCTOR COME; SHE WAS IN COURT,
21 SHE TESTIFIED THAT I DIDN'T. THE ONLY THING I STARTED
22 CRYING, BUT I DIDN'T --

23 Q. IF I LOST AN EYE, I WOULDN'T HAVE BEEN
24 SITTING THERE GRINNING.

25 A. RIGHT. SHE TESTIFIED I DIDN'T USE NO

1 PROFOUND LANGUAGE, DIDN'T CURSE OR NOTHING, BUT THE POLICE
2 LIE -- BOY, THEY LIE. THEY TOLD A LOT OF LIES OVER ME. THEY
3 COULDN'T GET THE GIRL. THEY TRIED TO GET THE GIRL TO SAY I
4 WAS TRYING TO MOLEST HER. THIS WAS AROUND EIGHT O'CLOCK THAT
5 AFTERNOON IN THE SUMMERTIME.

6 REPRESENTATIVE DUMAS: THE YOUNG LADY TESTIFIED
7 IN COURT THAT THE OFFICERS TRIED TO PERSUADE HER TO TESTIFY?

8 A. YES.

9 REPRESENTATIVE DUMAS: TO THE FACT YOU WERE
10 MOLESTING HER?

11 A. RIGHT. SHE TESTIFIED TO THE COURT TO THAT.

12 REPRESENTATIVE RICHARDSON: I WANT TO THANK YOU
13 VERY MUCH FOR YOUR TESTIMONY. I WOULD HOPE WE GET THE
14 RECORDS FROM CECIL MOORE, BEING HE IS COUNCILMAN HERE IN THE
15 CITY. IF YOU ARE NEEDED, WOULD YOU BE WILLING TO COME BACK
16 BEFORE THIS COMMITTEE?

17 A. YES.

18 REPRESENTATIVE DUMAS: REPRESENTATIVE WHITE, DO
19 YOU HAVE ANY QUESTIONS?

20 REPRESENTATIVE WHITE:

21 Q. YOU INDICATED THAT YOU WERE ACQUITTED OF ALL
22 SEVEN CHARGES, ABOUT A YEAR AND A HALF AFTER THE BEATING THAT
23 TOOK PLACE?

24 A. YES.

25 Q. WHAT WERE THOSE CHARGES, AS YOU CAN BEST

1 RECOLLECT?

2 A. ASSAULT AND BATTERY ON A POLICE OFFICER,
3 INCITING A RIOT, RESISTING ARREST, DISORDERLY CONDUCT.
4 REPRESENTATIVE DUMAS: THE USUAL.

5 A. THERE WAS SEVEN DIFFERENT COUNTS.
6 REPRESENTATIVE WHITE:

7 Q. AT ANY TIME WERE YOU CHARGED WITH RAPE?

8 A. NO.

9 Q. WERE YOU EVER COMPENSATED BY THE CITY FOR
10 THE LOSS OF YOUR EYE AS A RESULT OF THE BEATING?

11 A. NO.

12 Q. IS THERE AN ACTION PRESENTLY PENDING IN
13 THAT REGARD?

14 A. YOU MEAN A SUIT -- YES.

15 Q. WHEN DID YOU FILE THIS SUIT?

16 A. I AM TRYING TO THINK. I THINK IT WAS JUNE
17 20, 1967 I THINK. THAT IS SUNDAY, JUNE 20TH. I THINK MONDAY
18 HE BROUGHT THE PAPERS OUT FOR ME TO SIGN. I SIGNED THEM.

19 Q. YOU FILED A SUIT ALSO IN JULY OF 1967?

20 A. YES.

21 Q. WE ARE TALKING ELEVEN YEARS?

22 A. ELEVEN YEARS SINCE THE SUIT HAS BEEN FILED
23 -- THIRTEEN YEARS SINCE I LOST MY EYE.

24 Q. THERE HAS NOT BEEN A DISPOSITION?

25 A. THE ONLY THING, WITH DASHIELL, HE CALLED ME

1 DOWN, THE CITY OFFERED ME SIX THOUSAND DOLLARS. I TOLD HIM,
2 DON'T CALL ME FOR SIX THOUSAND DOLLARS. BUT HE HAD TO LET ME
3 KNOW; IF HE DIDN'T THEY COULD HOLD HIM -- BUT I WASN'T GOING
4 TO ACCEPT IT. AND LIKE TWO YEARS AFTER --

5 REPRESENTATIVE WHITE: THAT WAS IN 1969?

6 A. SOMEWHERE AROUND THERE, YES. SO THEN HE
7 LEFT AND HE GAVE THE CASE BACK TO CECIL MOORE. I THINK CECIL
8 MOORE GAVE IT TO CRIPPINS, AND CRIPPINS -- I ASKED HIM IF
9 THEY ARE GOING TO GIVE ME MY MONEY, AND WHY NOT BRING IT UP
10 TO COURT. HE SAID THEY KEEP PUSHING IT BACK.

11 REPRESENTATIVE WHITE: WHEN WAS THAT?

12 A. LAST YEAR I WAS TALKING TO CRIPPINS. I
13 HAVEN'T SEEN MOORE.

14 REPRESENTATIVE DUMAS: WHAT ATTORNEY PRESENTLY
15 REPRESENTS YOU IN THIS LAWSUIT NOW?

16 A. CECIL MOORE.

17 REPRESENTATIVE DUMAS: CONTINUE REPRESENTATIVE
18 WHITE.

19 REPRESENTATIVE WHITE:

20 Q. YOU DID ESTABLISH FOR THE RECORD THAT
21 FIFTEEN OFFICERS HAD BEEN IDENTIFIED?

22 A. YES, THEY WERE.

23 Q. TO YOUR KNOWLEDGE, HAD ANY OF THOSE FIFTEEN
24 OFFICERS BEEN DISCIPLINED OR REPRIMANDED?

25 A. NO, THEY HAVEN'T. I WAS WORKING AT -- THIS

1 HAPPENED ABOUT FIVE YEARS AGO. I WAS WORKING AT THE ROUND
2 HOUSE, CLEANING THE WINDOWS, AND ONE OFFICER I KNOW WAS
3 WORKING, I WAS CLEANING THE WINDOWS AND AN OFFICER WHO WAS
4 INVOLVED SAW ME AND RECOGNIZED ME, AND HE MUST HAVE WENT AND
5 TOLD. THEY CALLED MY OFFICE AND ASKED IF JESSE FITZGERALD
6 WAS WORKING AT THE POLICE STATION CLEANING WINDOWS; MY BOSS
7 SAID YEAH, AND HE TOLD HIM YOU HAVE TO GET HIM OFF THIS JOB.
8 THEN MY BOSS TOLD HIM I WOULDN'T TAKE HIM OFF NOW BUT I WON'T
9 SEND HIM BACK ANY MORE. WHEN I WENT TO THE OFFICE, SOMEONE
10 FROM THE ROUND HOUSE HAD CALLED AND SAID HE WAS WORKING THERE
11 AND THAT HE DIDN'T WANT ME WORKING THERE.

12 Q. HAS ANYONE FROM THE PHILADELPHIA POLICE
13 DEPARTMENT OR THE CITY COME TO YOU PRIOR TO THE FILING OF THE
14 SUIT, AND ASKED THAT THE SUIT NOT BE FILED?

15 A. NO. DURING THAT TIME -- I AM TRYING TO
16 THINK, THEY HAD SOME KIND -- HE WAS THE HEAD OF THIS
17 COMMISSION.

18 REPRESENTATIVE DUMAS: POLICE ADVISORY BOARD.

19 A. RIGHT. THERE WAS A COLORED FELLOW --

20 REPRESENTATIVE DUMAS: CHARLES BOWSER.

21 A. NOT BOWSER. HE WAS THE HEAD OF IT. IT
22 WASN'T BOWSER. HE CAME TO ME AND TOLD ME IF I SIGNED THESE
23 PAPERS THEY WOULD LET ME OUT OF THE JAIL PART.

24 REPRESENTATIVE WHITE: LET'S GO BACK.

25 A. HE COME TO MY HOUSE; I WAS IN THE HOSPITAL.

1 HE WENT TO MY HOUSE. HE TALKED TO MY WIFE. SHE KNOWS THE
2 NAME; I CAN'T RECALL HIS NAME NOW -- HE IS KIND OF A
3 HEAVY-SET FELLOW.

4 REPRESENTATIVE DUMAS: GO AHEAD.

5 A. HE ASKED THE GUARD AT THE PRISON; THEY
6 BROUGHT A SHEET OF PAPER AND TRIED TO GET ME TO SIGN IT.
7 THIS WAS DURING THE TIME NOBODY WAS ALLOWED TO SEE ME.

8 REPRESENTATIVE WHITE: AT WHAT POINT DID THE
9 POLICE NOTIFY YOUR FAMILY?

10 A. THEY DIDN'T AT ALL.

11 REPRESENTATIVE WHITE: LET ME FINISH MY
12 QUESTION. AT WHAT POINT DID THE POLICE CONTACT YOUR FAMILY,
13 YOUR WIFE, ANY OF YOUR CHILDREN, AND INFORM THEM THAT ONE:
14 YOU HAD EITHER BEEN ARRESTED; OR TWO; THAT YOU HAD BEEN
15 BEATEN; THREE; THAT YOU WERE HOSPITALIZED?

16 A. THEY DIDN'T BECAUSE THEY DIDN'T KNOW MY
17 NAME, OR MY ADDRESS OR NOTHING, BECAUSE WHEN THEY BEAT ME,
18 AFTER THEY BEAT ME, AND DROVE ME UP TO THE DESK SERGEANT, THE
19 LIEUTENANT, HE SAID TO GET ME OUT, GET HIM OUT. I DON'T CARE
20 WHAT YOU DO WITH HIM. THEY TOOK ME TO THE HOSPITAL, ST.
21 LUKE'S HOSPITAL.

22 ALL THE DOCTOR DID THERE WAS EXAMINE MY EYE.
23 SHE ONLY EXAMINED BOTH EYES AND TOLD ME MY EYE HAD BEEN
24 KNOCKED OUT. THEY DIDN'T ASK ME MY NAME OR NOTHING. THEY
25 SAID THERE IS NOTHING THEY COULD DO FOR ME. THEY DIDN'T HAVE

1 AN EYE WARD THERE. THE POLICE TOLD ME TO SHUT UP; I DON'T
2 MAKE NO DAMN DECISIONS. I DIDN'T SAY ANY MORE.

3 REPRESENTATIVE WHITE: THE POLICE NEVER
4 NOTIFIED YOUR FAMILY?

5 A. NEVER.

6 REPRESENTATIVE DUMAS: THANK YOU,
7 REPRESENTATIVE WHITE. HOW IS IT, MR. FITZGERALD, THAT YOUR
8 RELATIVES LEARNED YOUR WHEREABOUTS IN THE INCIDENT WHICH
9 OCCURRED TO YOU?

10 A. WELL, I HAD A NINE-YEAR OLD SON, AND
11 TEN-YEAR OLD SON. THEY WAS OUTSIDE ACROSS THE STREET,
12 PLAYING, WHILE I WAS BABY-SITTING. I HAD MY BABY IN MY ONE
13 HAND AND MY DOG. SO WHEN THE POLICE GRABBED ME AND PULLED ME
14 INTO THE CAR, AND AFTER THEY HIT THE SECOND SON, AND THROWN
15 HIM OUT OF THE CAR, MY OLDEST BOY RAN TO GET MY WIFE. BEFORE
16 THEY GOT BACK UP THERE, BEFORE SHE GOT TO WHERE I LIVED, THEY
17 HAD ME IN JAIL. AT THE PRECINCT, THAT IS WHERE THEY WERE
18 BEATING ME, THEY TOOK ME BACK OUT AND BROUGHT ME DOWN TO THE
19 HOSPITAL. WHEN I GOT TO THE HOSPITAL, THEY WAS AT THE
20 JAILHOUSE. SHE ASKED THEM AND THEY DIDN'T HAVE NO RECORDS OF
21 ME. AND THEY WERE WIPING THE BLOOD UP THERE, AND CLEANING
22 THE PRECINCT. SHE TURNED AROUND AND COME BACK DOWN TO THE
23 HOSPITAL. WHEN SHE GOT TO THAT HOSPITAL, I WAS AT
24 PHILADELPHIA GENERAL HOSPITAL.

25 REPRESENTATIVE DUMAS: NOW, THIS PARTICULAR

1 NIGHT YOU WERE TAKEN TO THE HOSPITAL FOR TREATMENT, WERE YOU
2 RELEASED IN THE CUSTODY OF THE POLICE, TAKEN TO JAIL?

3 A. TAKEN TO PHILADELPHIA GENERAL.

4 REPRESENTATIVE DUMAS: TO PHILADELPHIA GENERAL?

5 A. FROM ST. LUKE'S I WAS TAKEN TO P.G.H. ONCE
6 THE DOCTOR STITCHED UP MY EYE, THEY PUT ME IN THE JAIL CELL
7 AT PHILADELPHIA GENERAL. I STILL HADN'T BEEN CHARGED WITH
8 NOTHING.

9 REPRESENTATIVE DUMAS: THEY PUT YOU IN THE JAIL
10 CELL?

11 A. AFTER THEY STITCHED MY EYE.

12 REPRESENTATIVE DUMAS: I UNDERSTAND YOUR
13 EARLIER TESTIMONY THAT YOU WERE OPERATED ON SEVEN DAYS
14 LATER, IS THAT CORRECT?

15 A. THAT'S CORRECT.

16 REPRESENTATIVE DUMAS: AND YOU STAYED IN A
17 WHEELCHAIR AT THE JAIL CELL FOR SEVEN DAYS, BEFORE THEY
18 OPERATED?

19 A. NOT IN A WHEELCHAIR. I WAS IN BED. I
20 THINK THERE IS SIX BEDS IN THAT PLACE; I DON'T KNOW; I REALLY
21 DIDN'T COUNT THEM. I WAS BEAT ALMOST TO DEATH. SEVEN DAYS I
22 WAS THERE I WAS IN A BED. I WASN'T IN A CHAIR; THEY HAD ME
23 IN A BED.

24 REPRESENTATIVE DUMAS: WERE YOU GETTING
25 MEDICATION?

1 A. THEY DIDN'T DO NOTHING FOR ME; THEY DIDN'T
2 GIVE ME ASPIRIN FOR SEVEN DAYS TILL CECIL MOORE COME DOWN.
3 THAT'S WHEN HE SAID HE WAS GOING TO HAVE ME REMOVED TO
4 ANOTHER HOSPITAL, AND THEY TOOK ME OUT OF THE BED AND
5 OPERATED ON ME, WHICH I HAD TWO OPERATIONS.

6 REPRESENTATIVE DUMAS: YOU WERE OPERATED ON
7 BOTH TIMES AT THE PHILADELPHIA GENERAL HOSPITAL?

8 A. RIGHT. THE FIRST OPEATION THEY PUT A
9 BALL IN, BUT THEY HAD ME STANDING THERE SO LONG THE MUSCLES
10 IN MY EYE RETRACTED AND IT WOULDN'T HOLD, SO THE BALL BROKE
11 LOOSE, AND THEY HAD TO GO BACK AND OPERATE AND TOOK THE BALL
12 OUT AND PUT IN A SOCKET, WHAT THEY CALL A SOCKET.

13 REPRESENTATIVE DUMAS: FOR THE RECORD, MR.
14 FITZGERALD, HOW DO YOU VIEW THE PHILADELPHIA POLICE
15 DEPARTMENT NOW?

16 A. I DON'T EVER HAVE DEALINGS WITH THEM. I
17 TRY TO STAY AWAY AS MUCH AS POSSIBLE. I STILL, YOU KNOW,
18 LIVE IN WHAT YOU CALL THE GHETTO, POOR AREA.

19 REPRESENTATIVE DUMAS: I APPRECIATE THE FACT
20 YOU DON'T DEAL WITH THEM. MY QUESTION IS, THIS HAPPENED
21 THIRTEEN YEARS AGO. IN YOUR OPINION, IS YOUR INCIDENT AN
22 ISOLATED ONE OR DO YOU THINK IT IS SOMETHING THAT IS A
23 PREDOMINANT THING THAT HAPPENED TO YOU?

24 A. IT HAPPENS TO MOST BLACKS, AND PUERTO
25 RICANS AND POOR WHITES.

1 REPRESENTATIVE DUMAS: SO, WHAT YOU ARE SAYING
2 IS WHAT HAPPENED TO YOU, HAPPENS TO MOST BLACKS, PUERTO
3 RICANS AND POOR WHITES?

4 A. YES. AND IT HAPPENED TO THE PERSON WHO
5 TESTIFIED BEFORE ME.

6 REPRESENTATIVE DUMAS: REVERAND KIRKLAND?

7 A. YES. HE IS ACTUALLY RELATED TO ME -- WHICH
8 IS MY WIFE, NOT ME. MY INCIDENT HAPPENED BEFORE HIM, HIS
9 BROTHER-IN-LAW COME UP AND FOUGHT WITH ME -- AND WELL, I
10 KNOW HIM, AND I KNOW INCIDENTS HAPPEN AND A LOT OF OTHER
11 THINGS.

12 REPRESENTATIVE DUMAS: REPRESENTATIVE
13 RICHARDSON, DO YOU HAVE ONE OTHER QUESTION FOR THIS WITNESS?

14 REPRESENTATIVE RICHARDSON: NO.

15 REPRESENTATIVE DUMAS: MR. FITZGERALD, I KNOW
16 IT IS RATHER PAINFUL TO RELIVE THIS NIGHTMARE. WE WON'T
17 PROLONG IT ANY FURTHER, AND I DEFINITELY SYMPATHIZE WITH WHAT
18 YOU WENT THROUGH. MY MIND IS OPEN TO TRY TO FIND SOME TYPE
19 OF SOLUTIONS AS A REPRESENTATIVE IN THIS STATE, TO TRY TO
20 PREVENT THIS FROM REOCCURRING. THANK YOU.

21 (WITNESS EXCUSED.)

22 REPRESENTATIVE DUMAS: MR. BERZINS, DO YOU HAVE
23 A SUBPOENA IN YOUR POSESSION?

24 MR. BERZINS: YES, I DO.

25 REPRESENTATIVE DUMAS: I WOULD LIKE TO SWEAR

1 YOU IN AT THIS TIME.

2

3

VALVIS BERZINS, SWORN.

4

REPRESENTATIVE DUMAS: GO AHEAD.

5

A. I WOULD LIKE TO BRING UP THE POLICE SHOOTING
6 BACK IN MARCH 14, 1973 OF REVEREND JANIS SILINS AT THE
7 LATVIAN LUTHERAN CHURCH.

8

REPRESENTATIVE DUMAS: PARDON ME, SIR, WOULD
9 YOU SUSPEND FOR A MOMENT?

10

I WOULD LIKE TO ADVISE YOU THAT YOU ARE
11 UNDER OATH.

12

A. PARDON ME?

13

REPRESENTATIVE DUMAS: I WANT TO ADVISE YOU
14 THAT YOU ARE UNDER OATH --

15

A. I UNDERSTAND THAT.

16

REPRESENTATIVE DUMAS: -- AND THAT ANYTHING
17 THAT YOU SAY MAY BE HELD AGAINST YOU FOR PERJURY.

18

A. I UNDERSTAND.

19

REPRESENTATIVE DUMAS: I HOPE THAT YOU WILL
20 TELL THE TRUTH TO THE BEST OF YOUR ABILITY.

21

A. YES, I WILL.

22

REPRESENTATIVE DUMAS: WOULD YOU GIVE YOUR
23 ADDRESS BEFORE YOU PUT DOWN YOUR TESTIMONY, PLEASE?

24

A. I LIVE IN NEW JERSEY IN GLENDORA, 523
25 HARBINE.

1 I AM A MEMBER OF THE LATVIAN LUTHERAN CHURCH
2 ON 47TH AND CEDAR WHERE REVEREND SILINS WAS PASTOR AT THAT
3 TIME. WE ARE A SMALL GROUP OF LATVIANS THAT ABOUT HALF LIVE
4 IN NEW JERSEY AND THE OTHER HALF LIVE IN PHILADELPHIA. SO WE
5 BOUGHT THE CHURCH HERE, I'LL SAY, ABOUT FIFTEEN YEARS AGO,
6 AND IT IS LOCATED ON 47TH AND CEDAR; AND REVEREND SILINS HAS
7 BEEN HERE, I THINK, ABOUT 24 YEARS, AND HE WAS TAKING CARE OF
8 THE CONGREGATION FOR BOTH STATES.

9 THE REASON WHY I AM BRINGING THIS UP IS
10 BECAUSE THERE IS A DIFFERENCE BETWEEN THE POLICE STATEMENT OF
11 HOW THE SHOOTING HAPPENED AND WHAT THE PARISHIONERS SAID.
12 THIS WAS BROUGHT OUT IN THE NEWSPAPER AND I THINK WAS FAIRLY
13 ACCURATELY REPORTED BY TYREE JOHNSON. THIS IS A PHILADELPHIA
14 DAILY NEWS, WEDNESDAY, MARCH 28, 1973. I WOULD LIKE TO READ,
15 IF I MAY, THIS ARTICLE AND POINT OUT WHAT I HAVE PERSONALLY
16 FOUND OUT ADDITIONALLY TO WHAT HE HAS WRITTEN THERE. THIS IS
17 THE WAY IT STARTS OUT:

18 *THE REVEREND JANIS SILINS, 64, WAS FATALLY
19 WOUNDED BY POLICE BULLETS, POLICE SAID LAST NIGHT. THE
20 SHOOTING OCCURRED JUST AFTER HE HAD CONVINCED A FUGITIVE WHO
21 HAD TAKEN REFUGE IN HIS YARD TO LOWER HIS WEAPON, ACCORDING
22 TO MEMBERS OF MR. SILINS CONGREGATION. CHIEF INSPECTOR
23 GOLDEN SAID MR. SILINS WAS SHOT BY A POLICEMAN, BUT THE
24 IDENTITY OF THE MAN WHO FIRED THE SHOTS WILL NOT BE KNOWN
25 UNTIL THE BALLISTIC TESTS ARE COMPLETE. THE CASE IS STILL

1 OPEN AND STILL UNDER INVESTIGATION, GOLDEN SAID. MR. SILINS,
2 PASTOR AT ST. JOHN'S LATVIAN LUTHERAN CHURCH AT 903 SOUTH
3 47TH STREET WAS WOUNDED MARCH 14, AFTER POLICE CHASED INTO
4 HIS BACKYARD, A MAN WHO HAD GONE THROUGH A RED LIGHT AND
5 FIRED A GUN AT HIS PURSUERS. POLICE HAVE MAINTAINED THEIR
6 VIEW THAT MR. SILINS WAS SHOT IN AN EXCHANGE OF GUNFIRE.'

7 IN OTHER WORDS, EARLIER STORIES IN THE PAPER
8 DEVIATED FROM THIS ONE.

9 REPRESENTATIVE WHITE: THEY SAID THAT REVEREND
10 SILINS HAD BEEN SHOOTING?

11 A. NO, THAT THERE WAS A POLICE SHOOTING, AN
12 EXCHANGE OF GUNFIRE, AND YOU WILL SEE THAT THE LATER STORY
13 GOES ON.

14 REPRESENTATIVE WHITE: WOULD YOU SUSPEND FOR A
15 MOMENT?

16 A. YES.

17 REPRESENTATIVE WHITE: YOU MAY CONTINUE.

18 A. 'POLICE HAVE MAINTAINED EARLIER THAT MR.
19 SILINS WAS SHOT IN AN EXCHANGE OF GUNFIRE. GOLDEN'S COMMENTS
20 CAME AFTER HE WAS TOLD THAT THREE CHURCH OFFICIALS HAVE
21 GIVEN STATEMENTS ASSERTING THAT MR. SILINS TOLD THEM FOUR
22 DAYS BEFORE HIS DEATH ON MONDAY, THAT HE HAD BEEN SHOT BY A
23 PLAINCLOTHES POLICEMAN. THE THREE, AUGUST E. GEIZIS, GUNAR
24 JIRGEN, AND ROBERT KARLSSON SAID MR. SILINS TOLD THEM THAT HE
25 HAD BEEN TRYING TO CALM WILLIAM SMITH, 22, WHO WAS BEING

1 CHASED, AND HAD CONVINCED MR. SMITH TO LOWER HIS 45-CALIBER
2 PISTOL. HE WAS STANDING SIDE-BY-SIDE IN SILENCE FOR AWHILE
3 FOR THREE -- THEY REPORTED MR. SILINS AS SAYING. AND AT
4 THAT TIME, SEVERAL POLICEMEN WERE IN THE NEIGHBORHOOD, IN THE
5 NEIGHBORING BACKYARD. NOBODY SAID A WORD UNTIL A SHOT WAS
6 FIRED, AND I WAS HIT IN THE RIGHT ARM AND CHEST. I SAW THE
7 POLICEMAN WHO FIRED THE SHOT. I REMEMBER THE FACE, AND WILL
8 FOR THE REST OF MY LIFE."

9 I WOULD LIKE TO ELABORATE ON THAT ONE.

10 "SMITH ALSO WAS SHOT. POLICE SAID POLICEMAN
11 PATRICK MALLOY FIRED AFTER SMITH POINTED HIS PISTOL AT
12 MALLOY. HE WAS IN SATISFACTORY CONDITION AT MERCY-CATHOLIC
13 MEDICAL CENTER, MISERICORDIA DIVISION, WHERE MR. SILINS DIED
14 OF COMPLICATIONS OF HIS WOUND. SMITH OF 57TH STREET, NEAR
15 FLORENCE AVENUE WAS CHARGED WITH SOLE INTENT TO KILL, WEAPONS
16 VIOLATION, AND AUTO THEFT. THE CAR HE WAS DRIVING WAS LATER
17 FOUND TO HAVE BEEN STOLEN."

18 NOW, I WOULD LIKE TO GO BACK TO WHERE HE
19 SAID, "WE WERE STANDING SIDE-BY-SIDE IN SILENCE FOR AWHILE,"
20 AND THEREFORE MR. SILINS SAID, "AND AT THAT TIME, SEVERAL
21 POLICEMEN WERE IN THE NEIGHBORING BACKYARD. NOBODY SAID A
22 WORD UNTIL A SHOT WAS FIRED, AND I WAS HIT IN THE RIGHT ARM
23 AND CHEST. I SAW THE POLICEMAN WHO FIRED THE SHOT. I
24 REMEMBER THE FACE AND WILL FOR THE REST OF MY LIFE."

25 WHAT HAPPENED IS, I LATER TALKED TO THE

1 WIDOW, MRS. SILINS; AND THE MAN WAS IN PLAINCLOTHES, HE FIRED
2 THE GUN, AND THE GUN WAS SO CLOSE THAT MR. SILINS COULD SEE
3 HIS FACE. THAT'S WHY HE COULD REMEMBER THE FACE FOR THE REST
4 OF HIS LIFE, HE ONLY LASTED A WEEK AND THEN DIED.

5 SO THERE IS A DIFFERENCE BETWEEN THE POLICE
6 CLAIMING THAT THEY WERE CHASING THE CAR THIEF AND
7 ACCIDENTALLY FIRED -- THE POLICE FIRED A WEAPON AT MR.
8 SILINS.

9 NOW, ACCORDING TO THE REVEREND, AS TOLD BY
10 THE WIDOW, AND ALSO THE MEMBERS OF THE CONGREGATION WHICH
11 INCLUDE THESE THREE PEOPLE I MENTIONED, AUGUST E. GEIZIS,
12 GUNAR JIRGEN, AND ROBERT CARLSSON; HE WAS SHOT BY A
13 PLAINCLOTHES, MAN IN PLAINCLOTHES, EITHER A DETECTIVE OR A
14 COMMISSIONER, NOBODY KNOWS.

15 BUT THERE IS A BIG DIFFERENCE IN BEING SHOT
16 ACCIDENTALLY BY AN OFFICER IN A UNIFORM, WHICH ACTUALLY
17 PATRICK MALLOY WAS BLAMED FOR, AND IT WAS ACCEPTED; LATER THAT
18 HE ACTUALLY SHOT THE OFFICER -- I MEAN THE REVEREND. HE WAS
19 IN UNIFORM, SO HE COULDN'T BE THE MAN REVEREND SILINS SAW.

20 NOW, WHAT HAPPENED IS THIS: THE
21 CONGREGATION CONTACTED THE DISTRICT ATTORNEY, ARLEN SPECTOR
22 AND THEY EXPECTED THAT HE WOULD DO SOMETHING ABOUT IT, AND
23 APPARENTLY HE PROMISED, BUT THERE WAS NO INVESTIGATION,
24 NOTHING HAPPENED.

25 NOW, ANOTHER THING. I DECIDED THAT TO FIND

1 OUT, THE BEST THING WOULD BE TO CONTACT THE MAN WHO WAS
2 THERE, THE ALLEGED THIEF. AND WHAT HAPPENED IS, I CALLED
3 CITY HALL AND FOUND OUT THAT HE WAS BEING DEFENDED BY PUBLIC
4 DEFENDER JOHN GONDOLA AND I HAVE -- THIS NEVER ENDED UP IN
5 THE PAPERS, AND HIS TRIAL WAS HELD ON SEPTEMBER 4, 1973,
6 COURTROOM 416, CITY HALL. THE COURT OFFICERS PRESENT THERE
7 WERE THE HONORABLE JUDGE CAVANNAUGH, DISTRICT ATTORNEY
8 STEPHEN MARGOLIN, AND VOLUNTARY DEFENDER GONDOLA REPRESENTED
9 SMITH.

10 ACCORDING TO VOLUNTARY DEFENDER GONDOLA,
11 THERE WAS NO GUARDS AND NO WITNESSES WERE PRODUCED. THE
12 DISTRICT ATTORNEY READ THE EXTRACTS AND MINUTES OF THE
13 DEFENDANT'S GUILTY PLEA PREPARED BY THE VOLUNTARY DEFENDERS'
14 OFFICE. IT IS INTERESTING TO NOTE THAT FIVE OR SIX VOLUNTARY
15 DEFENDERS PREPARED SMITH'S GUILTY PLEA, ACCORDING TO GONDOLA.

16 HE WAS FOUND GUILTY ON ALL CHARGES BY JUDGE
17 CAVANNAUGH, AND SENTENCED TO HOLMESBURG PRISON FOR 60 DAYS
18 PSYCHIATRIC EXAMINATION, THEN HE WILL FACE FINAL SENIENCING.

19 WELL, WHEN I TALKED TO VOLUNTARY DEFENDER
20 GONDOLA BEFORE THE TRIAL TOOK PLACE OR BEFORE THE JUDGE, HE
21 MENTIONED THAT THE PERSON WAS, MORE OR LESS, MENTALLY
22 INCOMPETENT. NOW, HOWEVER, HE PLED GUILTY AND WAS RECOGNIZED
23 AS SANE ENOUGH TO PLEAD GUILTY, AND AFTER THAT HE WAS SENT TO
24 HOLMESBURG PRISON FOR PSYCHIATRIC EXAMINATION.

25 NOW, ANOTHER THING THAT HAPPENED AFTER THAT

1 IS, I DIDN'T GET ANYWHERE AND I MENTIONED THE CONGREGATION
2 DIDN'T GET ANYWHERE WITH ARLEN SPECTOR EITHER; AND IT WAS
3 LATER IN THE YEAR IT WAS BETWEEN '74 AND '75, I CONTACTED THE
4 PENNSYLVANIA CRIME COMMISSION, AND AT THAT TIME I THOUGHT
5 THEY MIGHT BE ABLE TO LOOK AND INQUIRE INTO WHAT ACTUALLY
6 HAPPENED. I CONTACTED A GENTLEMAN BY THE NAME OF JOHN R.
7 BARON. I HAVE HIS TELEPHONE NUMBER AND THE CRIME COMMISSION;
8 AND ALSO HE CAME TO GENERAL ELECTRIC. I WORK FOR GENERAL
9 ELECTRIC HERE ON CHESTNUT STREET. HE CAME WITH ANOTHER
10 GENTLEMAN BY THE NAME OF BILLY C. BYRD, OF THE PENNSYLVANIA
11 JUSTICE DEPARTMENT, AND THEY LISTENED TO MY STORY. AND I
12 SAID, OH, I AM INTERESTED IN TRYING TO GET THE POLICE REPORT
13 TO FIND OUT WHAT REALLY HAPPENED BECAUSE THERE IS A BIG
14 DISCREPANCY TO WHAT THE REVEREND SAID BEFORE HE DIED,
15 ACCORDING TO THE HEADS OF THE CONGREGATION WHO WERE THERE,
16 AND ALSO THE REVEREND'S WIDOW. AND THEY SAID OKAY, THEY WERE
17 GOING TO QUESTION SOME PEOPLE AND ALSO CONTACT COMMISSIONER
18 O'NEILL. WELL, TIME WENT BY AND WHAT HAPPENED IS THEY DID
19 CONTACT THE -- AS FAR AS I UNDERSTAND IT, THE MEMBERS OF THE
20 PARISH, THEY ALSO GONDOLA, AND THEY EVEN TALKED TO WILLIAM
21 SMITH.

22 NOW, THE MOST INTERESTING PART ABOUT WILLIAM
23 SMITH WAS THAT WHEN BARON ASKED HIM, WILLIAM SMITH SAID HE
24 ONLY FOUND OUT ABOUT THE SHOOTING OF THE REVEREND AFTER HE
25 WAS IN THE HOSPITAL, HE NEVER KNEW ABOUT IT BEFORE.

1 THEN ANOTHER THING CAME OUT WITH GONDOLA
2 BEFORE WHICH I FORGOT TO MENTION IT. AT ONE TIME GONDOLA
3 MENTIONED IT THAT THE 45-WEAPON WAS NOT OPERATIONAL. SO WE
4 HAVE AN INOPERATIONAL FIREPIECE, A GUN THAT DOESN'T FIRE AND
5 POLICE IS CHASING HIM AND WIND UP SHOOTING THE REVEREND.

6 NOW, WHAT HAPPENED TO THE CRIME COMMISSION
7 INVESTIGATION IS SIMPLY THIS: IT TURNED OUT THEY SENT A
8 REQUEST TO COMMISSIONER O'NEILL, AND COMMISSIONER O'NEILL
9 IGNORED IT, AND THEY NEVER GOT THE MATERIALS.

10 SO THAT ABOUT WRAPS IT UP, I MEAN, I
11 COULDN'T DO ANY MORE. AND ONE THING I WOULD LIKE TO MENTION
12 ABOUT MR. SILINS WIDOW. SHE DID HIRE A LAWYER, AND WAS
13 PURSUING IT, BUT SHE DIDN'T HAVE MUCH FUNDS, AND APPARENTLY
14 SHE WAS NOT SUCCESSFUL AND PRETTY DISGUSTED AND HER LAWYER
15 DIED IN THE MEANWHILE, SO SHE IS TOTALLY OUT OF IT.

16 REPRESENTATIVE WHITE: WHERE IS MRS. SILINS
17 NOW?

18 A. SHE LIVES IN THE PHILADELPHIA AREA. I DON'T
19 HAVE HER ADDRESS, BUT I COULD GET IT.

20 REPRESENTATIVE WHITE: IF YOU COULD SUPPLY US
21 WITH THAT, I THINK IT MIGHT BE HELPFUL IF YOU CAN GET HER TO
22 APPEAR BEFORE THIS COMMITTEE TO RELATE THIS INCIDENT.

23 A. WELL, THEN, DO YOU HAVE ANY MORE HEARINGS
24 BESIDES THIS ONE AND TOMORROW?

25 REPRESENTATIVE WHITE: WE HAVE A HEARING

1 TOMORROW AND WE ALSO HAVE ONE FRIDAY.

2 A. AND WHERE IS THAT?

3 REPRESENTATIVE WHITE: 2085 EAST TIOGA AVENUE,
4 IN THE KENSINGTON SECTION.

5 A. THE KENSINGTON SECTION, THE KENSINGTON
6 SECTION OF THE CITY.

7 REPRESENTATIVE RICHARDSON: WHAT TIME DOES IT
8 START?

9 REPRESENTATIVE WHITE: REPRESENTATIVE
10 RICHARDSON, THAT STARTS AT 5 O'CLOCK.

11 IF WE COULD SOMEHOW HAVE OUR STAFF GET IN
12 TOUCH WITH MRS. SILINS BEFOREHAND, WE WILL BE GLAD TO
13 SCHEDULE HER.

14 A. ALL RIGHT. COULD I HAVE --

15 REPRESENTATIVE WHITE: WE WILL GIVE YOU
16 EVERYTHING THAT YOU NEED IN ORDER TO CONTACT THE MEMBERS OF
17 THE COMMITTEE OR STAFF.

18 A. ALL RIGHT. YOU ALREADY GAVE ME YOUR CARD.

19 REPRESENTATIVE WHITE: REPRESENTATIVE
20 RICHARDSON, DO YOU HAVE ANY QUESTIONS OF THE WITNESS?

21 REPRESENTATIVE RICHARDSON: YES.

22 REPRESENTATIVE RICHARDSON:

23 Q. LET ME GET THE CORRECT PRONOUNCIATION OF
24 YOUR NAME.

25 A. MY NAME IS VALVIS BERZINS, V-A-L-V-I-S AND

1 LAST NAME IS B-E-R-Z-I-N-S.

2 Q. BERZINS?

3 A. BERZINS.

4 Q. OKAY. MR. BERZINS, COULD YOU SHARE WITH US
5 YOUR CONCERN IN THIS CASE? ARE YOU RELATED TO THE SILINS'?

6 A. NO. WHAT HAPPENED IS MR. SILINS -- I JOINED
7 THE CONGREGATION IN THE EARLY '60'S, AND MR. SILINS IS THE
8 REVEREND WHO MARRIED ME AND MY WIFE. HE ALSO CHRISTENED MY
9 THREE ELDEST CHILDREN, HE WOULD HAVE CHRISTENED MY YOUNGEST
10 DAUGHTER IF HE WAS NOT KILLED BY THE POLICE.

11 Q. SO YOU HAD SOME FEELING THERE FOR HIM.

12 A. YES.

13 Q. HAVE YOU HAD ANY ENCOUNTERS WITH THE POLICE
14 BEFORE IN THE CITY?

15 A. PERSONALLY, NO, BUT AT ONE TIME ANOTHER
16 INCIDENT IN A CHURCH. WHAT HAPPENED IS -- IT DOES NOT RELATE
17 TO ANY SHOOTING. SOME YEARS AGO, I FORGOT HOW MANY YEARS
18 AGO, WE HAD A -- I THINK IT WAS CHRISTMAS SERVICE, AND AN
19 OLDER LADY SUFFERED A HEART ATTACK. NOW, LIKE WE LIVE
20 OUTSIDE AND I LIVE IN NEW JERSEY; AND THE COMMON THING TO DO
21 IS TO CALL THE POLICE AND THEY WILL COME, RETURN YOUR CALL
22 FOR AN AMBULANCE OR RESCUE. AND THIS IS WHAT HAPPENED THEN.
23 WELL, THE CONGREGATION, ONE OF THE CONGREGATION MEMBERS
24 CALLED THE POLICE, THE POLICE CAME UP. THEY DIDN'T HAVE
25 ANY OXYGEN OR ANYTHING. HE WAS STANDING THERE WITH HIS

1 PISTOL AND DOING NOTHING, AND 20 MINUTES LATER THE RESCUE
2 VEHICLE CAME IN AND IT ONLY HAD ONE OCCUPANT IN IT, SO THE
3 MEMBERS OF THE CONGREGATION HAD TO PUT THE DEAD BODY --
4 BECAUSE THE 20 MINUTES HAD EXPIRED -- OF THE LADY AND HELP TO
5 CARRY IT TO THE RESCUE SQUAD.

6 Q. YOU SAID THAT HE DIED A WEEK LATER?

7 A. YES, IT'S IN THE RECORD.

8 Q. SO IT WAS QUITE SOME TIME THEN DURING THE
9 WEEK THAT HE HAD AN OPPORTUNITY TO TALK WITH PEOPLE?

10 A. WE THINK THE CONGREGATION, AS A MATTER OF
11 FACT, THE REST OF THE PARISHIONERS STAYED AWAY BECAUSE THEY
12 HOPED THAT HE WOULD RECOVER. THEY WERE HOPEFUL AND ONLY THE
13 PEOPLE NECESSARY, THE HEADS OF THE CONGREGATION AND HIS WIFE
14 WERE PRESENT.

15 Q. DO YOU KNOW WHAT THE CORONER'S REPORT WAS OR
16 DO YOU HAVE A DEATH CERTIFICATE THAT WOULD HAVE THAT
17 INFORMATION ON IT?

18 A. NO, I DON'T KNOW.

19 Q. DO YOU KNOW WHAT IT WAS?

20 A. I TOLD -- IF I REMEMBER CORRECTLY, I CALLED
21 UP THE HOSPITAL, THEY WOULDN'T DIVULGE IT.

22 Q. DO YOU KNOW IF MRS. SILINS KNOWS?

23 A. PARDON ME?

24 Q. MRS. SILINS HAS IT? DO YOU KNOW IF SHE HAS
25 IT?

1 A. I WOULD THINK THAT HER ATTORNEY APPARENTLY
2 BEFORE HE DIED MUST HAVE HAD IT BECAUSE HE WAS INVOLVED IN
3 THE CASE.

4 Q. GETTING DOWN TO THE PENNSYLVANIA CRIME
5 COMMISSION --

6 A. YES?

7 Q. YOU WERE TALKING ABOUT MR. BARON AND MR. BYRD
8 THERE.

9 A. YES. MR. BYRD WAS ONLY PRESENT THE FIRST
10 TIME. THE TWO MEN CAME TO TALK TO ME, WHICH IS MR. BYRD AND
11 MR. BARON, AND I TOLD THEM THE STORY. BUT LATER ON I WAS
12 ONLY CONTACTED BY MR. BARON, NOT WITH MR. BYRD.

13 Q. FINE. NOW, WHAT I WANT TO KNOW IS, DID YOU
14 AT ANY TIME HAVE ANY CONVERSATION WITH -- WHEN WAS THAT,
15 ESTABLISH THAT FOR THE RECORD WHEN YOU WENT TO THE
16 PENNSYLVANIA CRIME COMMISSION?

17 A. I CAN'T REMEMBER EXACTLY, IT WAS EITHER END
18 OF '74, BEGINNING OF '75.

19 Q. TO THIS DATE, WHAT HAS THE PENNSYLVANIA
20 CRIME COMMISSION DONE?

21 A. WELL, AS BARON EXPLAINED TO ME, THEY SENT A
22 REQUEST FOR THE REPORT AND SOME OTHER MATERIALS, AND THEY
23 WERE TOTALLY IGNORED BY COMMISSIONER O'NEILL. SO SINCE THEY
24 COULDN'T GET THE MATERIAL, THEY COULDN'T DO ANYTHING.

25 Q. REALLY, THEY HAVE NO JURISDICTION TO DO

1 ANYTHING. THEY WERE JUST DOING IT AS A PROCEDURAL PROCESS,
2 TO SEE WHETHER OR NOT THEY COULD ASCERTAIN SOME INFORMATION.

3 THE PRIVATE ATTORNEY, AFTER YOU SAW -- I
4 DON'T EVEN KNOW WHEN THIS PRIVATE ATTORNEY DIED; DO YOU KNOW?

5 A. HARRIS.

6 Q. WHEN DID HE DIE?

7 A. I DON'T KNOW, SHE WILL HAVE TO SUPPLY YOU
8 WITH THE DATE.

9 Q. SEE, WHAT I AM SAYING IS IF WE CAN NOT ONLY
10 GET SOME OF THAT INFORMATION, INSTEAD OF YOU BRINGING US THIS
11 INFORMATION IT WILL BE OF GREAT HELP. I THINK YOUR POINT IS
12 WELL TAKEN.

13 A. WELL, I AM SORRY. I COULDN'T CONTACT MRS.
14 SILINS, TOO, BECAUSE WHAT HAPPENED IS, I FOUND OUT ABOUT THIS
15 MEETING IN YESTERDAY'S PAPER, AND THIS IS WHY I TOOK THE DAY
16 OFF AND CAME HERE, BECAUSE I WANTED TO BRING TO YOUR
17 ATTENTION -- BECAUSE IN MY OPINION, A COUPLE OF THINGS WHICH
18 I MENTIONED ARE ERRONEOUS, THAT THE REVEREND SILINS INSISTED
19 THAT HE WAS SHOT BY A MAN IN CIVILIAN CLOTHES, AND ALSO THAT
20 WILLIAM SMITH, IF HE WASN'T MENTALLY COMPETENT, HOW COULD HE
21 ACCOMPLISH ALL THESE THINGS.

22 Q. WE APPRECIATE YOU COMING FORWARD. WHAT I
23 WOULD HOPE WOULD HAPPEN IS -- DO YOU KNOW OF ANY WITNESSES
24 THAT WERE THERE ON THE SCENE AT THAT TIME?

25 A. ALL RIGHT. NO, THE PROBLEM WAS THAT AT THE

1 TIME THE SHOOTING OCCURRED WAS 2 O'CLOCK IN THE AFTERNOON.
2 MRS. SILINS WAS WORKING, AND THE ONLY PEOPLE PRESENT IN THAT
3 AREA WERE THE POLICE AND ALSO WILLIAM SMITH.

4 Q. SO NO ONE ELSE TO YOUR KNOWLEDGE WAS THERE?

5 A. NOT TO US, NOBODY HAS COME FORWARD. EVEN SO
6 THEY ARE -- THE BACKYARD IS VISIBLE BY QUITE A FEW HOUSES IF
7 YOU LOOK AT THE AREA ON CEDAR AND 47TH, WHERE THE CHURCH IS,
8 BUT NOBODY CAME FORWARD. MAYBE NOBODY WAS HOME.

9 REPRESENTATIVE WHITE: EXCUSE ME,
10 REPRESENTATIVE RICHARDSON.

11 AT THE TIME OF THE SHOOTING WAS REVEREND
12 SILINS WEARING THE --

13 A. NO, HE WAS IN THE GARDEN, HE WAS WEARING
14 VERY, VERY OLD CLOTHING. IN OTHER WORDS, FROM THE LOOKS OF
15 IT, HE DIDN'T LOOK LIKE A REVEREND OF A CHURCH. YOU SEE THIS
16 IS WHY THE POSSIBILITY EXISTED THAT THE MAN IN CIVILIAN
17 CLOTHING WHO SHOT HIM THOUGHT THAT HE MIGHT HAVE BEEN ONE OF
18 THEM OR AN ACCOMPLICE EVEN, AND THIS IS A POSSIBILITY.

19 REPRESENTATIVE WHITE: SORRY, MR. RICHARDSON.

20 REPRESENTATIVE RICHARDSON: NO PROBLEM.

21 REPRESENTATIVE RICHARDSON:

22 Q. ANOTHER THING I WANTED TO GET TO IS: AT 2
23 O'CLOCK IN THE AFTERNOON AT 47TH AND CEDAR, DID THE D.A.'S
24 OFFICE INVESTIGATE?

25 A. WELL, THE D.A. WAS AKLEN SPECTOR. THE

1 CONGREGATION WENT TO THE DISTRICT ATTORNEY'S OFFICE, AND AS
2 FAR AS WE UNDERSTAND THEY PROMISED, ACCORDING TO THE HEADS OF
3 THE CONGREGATION, BUT TO MY KNOWLEDGE NOTHING EVER HAPPENED.

4 Q. ARE ANY OF THOSE PEOPLE AROUND?

5 A. YES. AS A MATTER OF FACT THEY ARE MENTIONED
6 IN -- I CAN LEAVE THIS NEWSPAPER ARTICLE WITH YOU.

7 Q. NO, NO, THAT IS NOT NECESSARY.

8 ARE ANY OF THOSE PARTICULAR PERSONS WHO
9 WERE IN THAT CHURCH AROUND NOW, 1978?

10 A. YOU MEAN WHO WERE PRESENT IN THE HOSPITAL
11 WHERE MR. SILINS WAS?

12 Q. WHO WERE EITHER PRESENT IN THE HOSPITAL OR
13 WERE PART OF THE GROUP GOING TO SEE ARLEN SPECTOR ABOUT THE
14 INVESTIGATION.

15 A. ALL RIGHT. THE THREE MENTIONED IN THE PAPER
16 AND ALSO I KNOW PERSONALLY, MR. GEIZIS, HE WAS THE HEAD OF
17 THE CONGREGATION. THE THREE NAMES MENTIONED ARE AUGUST E.
18 GEIZIS, GUNAR JIRGEN, AND ROBERT KARLSSON. THEY WERE THE
19 HEADS OF THE CONGREGATION WHO WERE ACTUALLY VISITING IN THE
20 HOSPITAL, AND ALSO HIS WIDOW. BUT THE REST OF THE MEMBERS OF
21 THE CONGREGATION STAYED OUT BECAUSE THEY DIDN'T WANT TO
22 BOTHER HIM, AND THEY HOPED THAT HE WOULD RECOVER.

23 Q. PRIOR TO THIS INCIDENT IN 1973, IN MARCH OF
24 1972, MR. BERZINS, DID YOU KNOW FIRSTHAND OR DID YOU HAVE ANY
25 FIRSTHAND INFORMATION ON THE PHILADELPHIA POLICE DEPARTMENT

1 AND ITS ATTITUDE TOWARDS CITIZENS AT THAT TIME?

2 A. WELL, TO TELL YOU THE TRUTH AFTER THAT TIME
3 --

4 Q. NO, NOT THAT TIME, BEFORE THAT TIME. THAT'S
5 IN 1973. PRIOR TO MARCH 1973 WHEN THE INCIDENT AT 47TH AND
6 CEDAR CONCERNING REVEREND SILINS OCCURRED; I WANT TO KNOW
7 WHETHER OR NOT YOU HAVE ANY OPINION ABOUT THE ATTITUDE OF THE
8 POLICE TOWARDS CITIZENS IN THE CITY.

9 A. I -- MYSELF, HAD NO OPINION AND I DIDN'T
10 LIVE HERE. THE ONLY THING WAS THE CHURCH. SO EVERYTHING
11 SEEMS TO BE ORDERLY, BUT IT WAS AFTER THAT HAPPENED IT
12 CHANGED THE WHOLE THING.

13 Q. WHAT HAS IT CHANGED TO NOW?

14 A. IN MY OPINION NOTHING HAS CHANGED. SINCE
15 '73, I THINK YOU HAVE -- IF YOU READ THE NEWSPAPER ARTICLES
16 THE SAME THING IS CONTINUING.

17 Q. WHAT IS THAT?

18 A. WELL, YOU READ ABOUT THE POLICE
19 UNACCOUNTABILITY, THAT ANY TIME THE DISTRICT -- NOT THE
20 DISTRICT, THE COMMISSIONER IS QUESTIONED HE DOESN'T ANSWER;
21 AND IF HE DOESN'T ANSWER THERE'S NO WAY YOU CAN INVESTIGATE.

22 Q. DO YOU THINK WE HAVE A GOOD POLICE
23 DEPARTMENT HERE IN THE CITY OF PHILADELPHIA?

24 A. PARDON ME?

25 Q. DO YOU THINK WE HAVE A GOOD POLICE

1 DEPARTMENT IN THE CITY OF PHILADELPHIA?

2 REPRESENTATIVE DUMAS: THE QUESTION IS: WHAT
3 IS YOUR OPINION OF THE PHILADELPHIA POLICE?

4 A. OH, IF WE HAVE A GOOD POLICE DEPARTMENT,

5 LET ME EXPLAIN THIS TO YOU THEN. I BELIEVE
6 THAT IN ANY ORGANIZATION WHETHER IT'S A POLICE DEPARTMENT OR
7 ANY OTHER, YOU HAVE THE BAD PART AND THE GOOD PART. NOW, IF
8 YOU ENCOURAGE THE GOOD PART, YOU HAVE A GOOD POLICE
9 DEPARTMENT; IF YOU ENCOURAGE THE BAD PART, YOU GET A BAD
10 POLICE DEPARTMENT. IN MY OPINION, SINCE RIZZO AND
11 COMMISSIONER O'NEILL HAS BEEN ADDED, WE DON'T HAVE A GOOD
12 POLICE DEPARTMENT.

13 REPRESENTATIVE DUMAS: DO YOU HAVE ANY MORE
14 QUESTIONS, REPRESENTATIVE RICHARDSON?

15 REPRESENTATIVE RICHARDSON: JUST ONE MORE.

16 Q. AS A MEMBER OF THE CITIZENS WHO LIVE IN THE
17 CITY OF PHILADELPHIA AND REPRESENTING THE CONSTITUENT BODY
18 HERE IN THE CITY OF PHILADELPHIA, PUBLIC SERVICE ELECTED
19 OFFICIALS; COULD YOU TELL US WHAT YOU FEEL THAT THIS
20 COMMITTEE COULD DO IN FORMAL RECOMMENDATIONS TO RESOLVE SOME
21 OF THE PROBLEMS THAT ARE FACING US HERE IN THE CITY OF
22 PHILADELPHIA CONCERNING POLICE VIOLENCE?

23 A. WELL, WHAT I WOULD LIKE TO SEE IS THE POLICE
24 WOULD COOPERATION WITH THE DISTRICT ATTORNEY'S OFFICE, AND
25 TURN OVER ANY COMPLAINTS FOR CLARIFICATION. IF THAT HAPPENS

1 YOU WOULDN'T HAVE THE SUSPICION THAT EXIST NOW, THAT EVERY
2 TIME THERE IS A COMPLAINT THERE IS NO ANSWER.

3 REPRESENTATIVE RICHARDSON: THANK YOU VERY
4 MUCH.

5 A. THANK YOU.

6 REPRESENTATIVE DUMAS: THANK YOU, MR. BERZINS,
7 FOR YOUR TESTIMONY. THERE ARE NO OTHER QUESTIONS FROM THE
8 PANEL.

9 (WITNESS EXCUSED.)

10 I WANT TO THANK REVEREND WILLIAMS FOR
11 PERMITTING US TO CONDUCT OUR HEARING HERE. I WANT TO THANK
12 THE GUESTS THAT CAME ALONG TO TESTIFY, AND THE OTHERS THAT
13 CAME ALONG TO SPECULATE. IT WAS VERY NICE HAVING ALL OF YOU,
14 AND I WANT TO THANK YOU AGAIN.

15 ---

16 (ADJOURNED AT 8:50 O'CLOCK P. M.)

17 ---

18 *****

19 *****

20	**	COMPUTER TRANSCRIPTION SYSTEM	**
21	**	DATE AUGUST 2, 1978	**
22	**	REPORTERS BARBARA GREEN	**
23	**	MILDRED MOY	**
24	**	ADDRESS RAPID REPORTING SERVICE, INC.	**
25	**	SUITE 1102-10	**

VALVIS BERZINS

848

1 ** 1405 LOCUST STREET **
2 ** PHILA., PENNA. **
3 ** TELEPHONE: 732-4334 **
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