

COMMONWEALTH OF PENNSYLVANIA

HOUSE OF REPRESENTATIVES

JUDICIARY COMMITTEE

SUBCOMMITTEE ON CRIME AND CORRECTIONS

PUBLIC HEARINGS

HELD: WAYLAND BAPTIST CHURCH
PHILADELPHIA, PENNA.

AUGUST 3, 1978

I. Calling to Order

Call to order by Rep. Joseph Rhodes, Chairman at 5:45 P.M., introduction, page 851-853;

II. Eleanor Bey

3411 Spring Garden, Apt. 11, has possession of a subpoena and has been duly sworn, victim of police abuse incident in April of 1978 on a Sunday, testimony of the victim, page 853-856; questions from the panel, page 856-866; Joseph Bey, 3411 Spring Garden, Apt. 11, has possession of subpoena and duly sworn; victim of a police abuse incident in April of 1978, testimony of the incident and questions from the panel, page 866-869;

III. Charles W. Bowser, Attorney

Former member of Mayor's Police Advisory Board by former Mayor Dilworth, has possession of a subpoena and has been duly sworn, testimony concerning the problem of police abuse in Philadelphia relating to his experiences representing victims of police abuse cases, 15 suits filed by his firm, presentation of affidavits; discussion of recommendations expediting brutality cases to trial, maintaining of public records for all complaints of alleged police abuse, regulations of weapons by officers, state supervised investigation when police slay unarmed victims; page 869-876; questions from the panel concerning recommendations, page 876-890;

IV. Leroy Culp

2331 N. 10th St., Philadelphia has in his possession a subpoena and has been duly sworn; victim of police abuse in 1972, testimony and discussion of brutality case involving his brother, Mitchell Culp in 1976, page 890-899; questions from the panel, page 899-904;

V. Prentice Chandler

2335 Pierce St., has in his possession a subpoena and has been duly sworn, victim of police abuse incident on June 27, 1978, presentation of his testimony, page 904-919; questions from the panel, page 919-925;

VI. Ms. Ellen Walton

Has received a subpoena and has been duly sworn, testimony concerning a police abuse incident on September 17, 1977, involving the shooting death of her father, Leroy Lewis, by a Philadelphia policeman, page 925-933; questions from the panel, page 933-946;

VII. Sandra Moore

5426 Merion Ave., has in her possession a subpoena and has been duly sworn; testimony involving a police abuse incident on the 27th or 28th of May, 1978, and in June of 1977, page 946-960; questions from the panel, page 960-963;

VIII. Abdul Jon, Michael Jones

6812 Clearview St., Philadelphia has in his possession a subpoena and has been duly sworn; testimony involves several incidents of police abuse, February or March of 1976; May 20, 1977; March 16, 1978, page 963-975; questions from the panel, page 975-987;

IX. Elisheba Shabazz Ali

1902 Judson St., has received a subpoena and has been duly sworn, testimony concerning police abuse relating to the "Move Organization" testimony not given, statements made by members of the panel, page 987-998;

X. David L. Nottage

417 Upsal St., Philadelphia, has in his possession a subpoena and has been duly sworn, testimony concerning police abuse, page 998-1004;

XI. Lucille Simms

2721 N. Opal St., has received a subpoena and has been duly sworn, testimony concerning illegal surveillance, page 1004-1006;

XII. Leonard Mason

18 W. 28th St., has received a subpoena and has been duly sworn; testimony concerning a police abuse incident in April of 1978, in which he was attacked by a police officer's dog, page 1006-1013;

XIII. Charles Hall

1839 N. Willington St., has received a subpoena and is duly sworn, testimony concerning a police abuse incident in July of 1977 and October of 1977, concerning his attempt to provide food for the "Move Group," page 10-13-1021; questions from the panel, page 1021-1024

XIV. Lindora Wilkins

4718 N. 15th St., has received a subpoena and has been duly sworn; incident took place June 15 or 16 of 1978, concerning the illegal entry of police into the victim's house and shots were fired in the Wilkins' home, page 1024-1041; additional questions from the panel, page 1041-1044;

XV. Mary & Johnny Banks

25030 N. 51st St., acknowledge receiving subpoena and are duly sworn; testimony concerning police abuse incidents on September 27, 1977 involving their 3 children, page 1044-1057;

XVI. Nadira Dunschee

2000 W. Cheltenham Ave., Philadelphia, acknowledges receiving a subpoena and duly sworn; purpose of her testimony is to put on the record a police abuse incident that occurred minutes ago during these hearings on August 3, 1978, at the Wayland Baptist Church, involving a mistaken identification of one of today's witnesses by police as a "Move Group" member, page 1057-1062.

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
WAYLAND TEMPLE BAPTIST CHURCH
2500 WEST COLUMBIA AVENUE
PHILADELPHIA, PENNSYLVANIA

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

FIFTH DAY
THURSDAY, AUGUST 3, 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. HARDY WILLIAMS

REP. ANTHONY SCIRICA

REP. FRANK OLIVER

REP. DAVID RICHARDSON

REP. MARK COHEN

VAN BRASWELL, ESQ., SPECIAL COUNSEL

ALSO PRESENT:

REP. JOEL JOHNSON

REP. MATTHEW CIANCIULLI

I N D E X
- - - - -

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(5:45 O'CLOCK P. M.)

CHAIRMAN RHODES: IS MRS. ELEANOR BRY IN THE AUDIENCE? WE ARE GOING TO START THE HEARINGS NOW.

THE HOUR OF 5:00 O'CLOCK HAVING ARRIVED, THIS PUBLIC HEARING OF THE SUBCOMMITTEE ON CRIME AND CORRECTIONS OF THE HOUSE JUDICIARY COMMITTEE OF THE COMMONWEALTH OF PENNSYLVANIA, PURSUANT TO RESOLUTION 109, WILL NOW COME TO ORDER.

HOUSE RESOLUTION 109, PASSED LAST JULY OF 1977, AUTHORIZED THIS SUBCOMMITTEE TO CONDUCT PUBLIC HEARINGS, WITH SUBPOENA POWER, INTO THE PROBLEMS OF ORGANIZED CRIME AND OFFICIAL CORRUPTION AND CIVIL RIGHTS VIOLATIONS BY AND ON POLICE.

THE COMMITTEE HAS CONDUCTED EXTENSIVE HEARINGS AND INVESTIGATIONS INTO ORGANIZED CRIME AND OFFICIAL CORRUPTION IN THE COMMONWEALTH OF PENNSYLVANIA. A NUMBER OF HEARINGS ARE TO BE HELD IN THE AREA OF CIVIL RIGHTS VIOLATIONS BY AND ON POLICE. THIS IS THE THIRD HEARING IN THE CITY OF PHILADELPHIA ON THAT SUBJECT, AND I THINK THE SIXTH OR SEVENTH HEARING WE HAVE HELD IN THE COMMONWEALTH.

AND TONIGHT WE ARE HOLDING THIS HEARING AT THE WAYLAND TEMPLE BAPTIST CHURCH IN NORTH PHILADELPHIA; AND WE WOULD FIRST LIKE TO ACKNOWLEDGE THE KIND HOSPITALITY OF THE REVEREND ROBERT HUBBARD FOR MAKING THE FACILITIES

1 AVAILABLE.

2 WE ARE STARTING WITHOUT THE SOUND SYSTEM. I
3 ADVISE ALL THE WITNESSES TO SPEAK UP AND THOSE OF THE
4 COMMITTEE TO SPEAK UP.

5 WITNESSES WHO ARE HERE TO TESTIFY WHO HAVE
6 NOT MET WITH OUR SUBCOMMITTEE TODAY, I ADVISE YOU TO GO TO
7 THAT TABLE AND RECEIVE YOUR SUBPOENAS AT THIS TIME BEFORE WE
8 GET INTO THE ACTUAL TESTIMONY, THOSE WHO HAVE BEEN SCHEDULED
9 TONIGHT.

10 THOSE WHO WOULD ALSO LIKE TO TESTIFY, GO AND
11 MEET WITH OUR STAFF AT THE TABLE.

12 I AM JOSEPH RHODES, CHAIRMAN OF THE
13 SUBCOMMITTEE ON CRIME AND CORRECTIONS. WITH US TONIGHT ARE
14 REPRESENTATIVES OF THE SUBCOMMITTEE TO MY RIGHT,
15 REPRESENTATIVE ANTHONY SCIRICA FROM MONTGOMERY COUNTY. AND
16 TO HIS RIGHT, REPRESENTATIVE FRANK OLIVER FROM PHILADELPHIA
17 COUNTY. TO HIS RIGHT, REPRESENTATIVE HARDY WILLIAMS OF
18 PHILADELPHIA COUNTY; TO MY LEFT, REPRESENTATIVE DAVID
19 RICHARDSON OF PHILADELPHIA COUNTY; TO HIS LEFT,
20 REPRESENTATIVE JOHN WHITE OF PHILADELPHIA COUNTY.

21 ALSO SITTING AT THE TABLE WITH SUBCOMMITTEE
22 ARE OTHER MEMBERS OF THE HOUSE OF REPRESENTATIVES WITH
23 RESPECT TO THE PHILADELPHIA AREA. TO MY EXTREME LEFT IS
24 REPRESENTATIVE JOEL JOHNSON WHO IS ALSO A REPRESENTATIVE
25 VISITER SITTING IN TONIGHT; AND TO MY EXTREME RIGHT,

1 REPRESENTATIVE MATTHEW CIANCIULLI OF SOUTH PHILADELPHIA, A
2 MEMBER OF THE HOUSE, HERE TONIGHT.

3 THE FIRST WITNESS TONIGHT WILL BE MRS.
4 ELEANOR BEY.

5 MRS. BEY, DO YOU HAVE IN YOUR POSSESSION THE
6 SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE?

7 MRS. BEY: YES.

8 ---

9 ELEANOR BEY, AFFIRMED.

10 CHAIRMAN RHODES: YOU MAY PROCEED, MRS. BEY,

11 A. WELL, DO I HAVE TO GET THE DATES AND
12 EVERYTHING?

13 CHAIRMAN RHODES: YES. FIRST TELL US FOR THE
14 RECORD, YOUR NAME AND ADDRESS, THEN --

15 A. ELEANOR BEY, 3411 SPRING GARDEN, APARTMENT
16 NUMBER ELEVEN.

17 I DON'T REMEMBER THE DATE -- APRIL, '78.

18 CHAIRMAN RHODES: APPROXIMATELY WHAT MONTH OR
19 YEAR?

20 A. APRIL 1978.

21 CHAIRMAN RHODES: APRIL OF '78?

22 A. YES.

23 IT WAS ON A SUNDAY NIGHT ABOUT 12:00
24 O'CLOCK, MY BROTHER-IN-LAW WAS TAKING ME AND MY HUSBAND HOME
25 FROM MY MOTHER'S HOUSE. SO WHEN WE GOT IN FRONT -- WE LIVED

1 IN WILSON PARK, 25TH AND JACKSON. WHEN WE GOT IN FRONT OF
2 WILSON PARK HOUSING, THE POLICE BUILDING, THE COPS DROVE UP
3 BEHIND THE CAR, SAID FOR EVERYBODY TO GET OUT.

4 I WASN'T GETTING OUT OF THE CAR FAST ENOUGH;
5 THE COPS PUSHED ME OUT. I GOT STUCK, AND AT THE TIME I WAS
6 PREGNANT. SO THEY HAD ALL OF US STANDING AGAINST THE WALL.

7 CHAIRMAN RHODES:

8 Q. YOU WERE STOPPED WHERE?

9 A. IN FRONT OF THE HOUSING AUTHORITY POLICE
10 BUILDING, RIGHT IN FRONT OF MY BUILDING, I LIVED IN 2-B.

11 Q. HOUSING AUTHORITY?

12 A. YES, THAT'S WHERE HE PARKED HIS CAR.

13 Q. ABOUT WHAT TIME OF NIGHT WAS IT?

14 A. ABOUT 12:00 OR SOMETHING.

15 Q. TWELVE MIDNIGHT?

16 A. YES.

17 Q. AND WHO WAS IN THE CAR WITH YOU?

18 A. ME, MY HUSBAND, HIS BROTHER, AND OUR DOG.

19 Q. AND WHO STOPPED YOU?

20 A. TWO COPS.

21 Q. WERE THEY CITY POLICE OR HOUSING POLICE?

22 A. CITY POLICE.

23 Q. AND GO AHEAD WITH THE STORY, WHAT HAPPENED

24 NEXT?

25 A. THEY TOLD MY HUSBAND -- THEY TOLD MY HUSBAND

1 TO CHAIN THE DOG THE FUCK UP THFN, SO HF CHAINED THE DUG.

2 SO THEY HAD ALL OF US STANDING UP AGAINST
3 THE WALL. MY BROTHER-IN-LAW LOOKED BACK, AND THE COP WENT UP
4 SIDE HIS HEAD AND SAID, "DON'T LOOK THE FUCK BACK." SO ALL
5 OF A SUDDEN I FELT A GUSH COMING DOWN, SO I CALLED MY
6 HUSBAND, I CALLED HIS NAME, SO HE LOOKED OVER AT ME, AND THE
7 COPS WENT UP SIDE HIS HEAD.

8 Q. WHEN YOU SAID "UP SIDE HIS HEAD," WHAT DO
9 YOU MEAN?

10 A. HIT HIM IN THE HEAD.

11 Q. WITH WHAT?

12 A. WITH HIS FIST, ONE OF THEM, THE OTHER ONE
13 WAS STANDING DIRECTLY IN BACK OF US WITH HIS GUN COCKED.

14 SO THEY TOOK MY HUSBAND'S BROTHER, PUT HIM
15 IN THE WAGON, I DON'T KNOW -- I ASKED THE COP COULD I SIT
16 DOWN, BECAUSE I STARTED GETTING PAINS AND I STARTED FEELING
17 THIS GUSH.

18 Q. WERE YOU CLEARLY PRFGNANT, HOW FAR?

19 A. TWO MONTHS. SO WHFN I FELT THIS GUSH I SAID
20 I'LL SIT DOWN; HE TOLD ME, "SIT THE FUCK ON THE GROUND."

21 REPRESENTATIVE WILLIAMS: UP TO THAT TIME DID
22 THEY SAY WHY THEY STOPPED YOU?

23 A. NO. THEY NEVER SAID. WE ASKED THFM WHY THEY
24 STOPPED US; THEY NEVER TOLD US.

25 THEY PUT MY HUSBAND AND BROTHER-IN-LAW IN THE

1 WAGON. SO AT THIS TIME THE STUFF WAS COMING OUT MORE
2 FREQUENTLY. AND I WAS GETTING NERVOUS. I SAT DOWN.

3 SO THEN THEY LET THEM OUT OF THE WAGON, SO WE
4 STARTED FOR -- AND I SAID, 'TAKE ME TO THE HOSPITAL BECAUSE I
5 AM HAVING A MISCARRIAGE.'

6 ALL THE TIME THAT I WAS PREGNANT, I WAS A
7 HIGH RISK PATIENT. THE COP, I ASKED HIM TO TAKE ME TO THE
8 HOSPITAL. WHEN I ASKED THEM TO TAKE ME TO THE HOSPITAL THEY
9 STILL IGNORED ME. SO MY BROTHER-IN-LAW HAD TO TAKE ME TO THE
10 HOSPITAL.

11 CHAIRMAN RHODES: CAN WE SUSPEND THIS FOR A
12 MOMENT.

13 (PAUSE.)

14 A. I'M FINISHED.

15 CHAIRMAN RHODES: AT THIS POINT WE WILL OPEN
16 FOR QUESTIONS FROM THE COMMITTEE TO MRS. BEY.

17 WE WILL START FROM THE RIGHT, REPRESENTATIVE
18 WILLIAMS.

19 REPRESENTATIVE WILLIAMS:

20 Q. MRS. BEY, WERE YOU OR YOUR HUSBAND EVER
21 ARRESTED?

22 A. NO.

23 Q. DID YOU EVER MAKE A REPORT OR A COMPLAINT TO
24 ANYBODY ABOUT WHAT HAPPENED TO YOU?

25 A MY HUSBAND WENT FROM THE HOSPITAL, WHEN I

1 WAS HAVING THE MISCARRIAGE, HE WENT FROM THE HOSPITAL AND
2 MADE A COMPLAINT.

3 Q. HE COMPLAINED TO THE HOSPITAL?

4 A. NO, HE WENT TO THE POLICE STATION WHILE I
5 WAS AT THE HOSPITAL..

6 Q. TO MAKE A COMPLAINT ABOUT WHAT THE POLICE
7 DID TO HIM?

8 A. AND ME.

9 Q. HE WENT TO THE HOSPITAL TO COMPLAIN TO --

10 A. HE WENT TO THE POLICE STATION.

11 Q. HE WENT TO THE POLICE STATION TO COMPLAIN
12 ABOUT WHAT HAPPENED TO YOU?

13 A. UM-HUM.

14 Q. DO YOU KNOW THE NAME OF THE POLICE OFFICER
15 WHO STOPPED YOU?

16 A. I KNOW ONE OF THEM NAME; HE TOOK AND SAID.
17 "THIS IS MY NAME RIGHT HERE, SEE, SEE, SEE, AND YOU CAN HAVE
18 IT."

19 Q. WHAT'S HIS NAME?

20 A. HIS NAME IS CUBBAGE.

21 Q. AND DID YOU ACTUALLY HAVE A MISCARRIAGE?

22 A. YES.

23 Q. AND WHEN DID THE MISCARRIAGE TAKE PLACE?

24 A. RIGHT AFTER WHEN I WENT TO -- I WAS HAVING
25 IT OUTSIDE. WHEN I WENT TO THE HOSPITAL, THEY HAD GIVEN ME A

1 D&C AND EVERYTHING.

2 Q. YOU HAD A MISCARRIAGE THAT NIGHT OR THAT
3 DAY?

4 A. YES, THAT NIGHT.

5 Q. WHAT HOSPITAL?

6 A. UNIVERSITY.

7 Q. UNIVERSITY OF PENNSYLVANIA?

8 A. UM-HUM.

9 Q. AS A RESULT OF WHAT HAPPENED TO YOU THAT
10 NIGHT, YOU HAD A MISCARRIAGE THAT NIGHT OR THAT DAY AT
11 UNIVERSITY OF PENNSYLVANIA HOSPITAL?

12 A. YES.

13 Q. DO THEY HAVE A REPORT OF THAT?

14 A. YES.

15 Q. AND DID YOU TELL THE DOCTORS OR THE MEDICAL
16 PEOPLE WHO EXAMINED YOU WHAT HAPPENED TO YOU?

17 A. YES.

18 Q. DO YOU KNOW WHETHER OR NOT THEY REPORTED THE
19 INCIDENT TO ANYBODY?

20 A. NO, I DON'T KNOW.

21 Q. DID YOUR HUSBAND EVER GET TO THE HOSPITAL?

22 A. HE WENT TO THE HOSPITAL WITH ME.

23 Q. HE WENT WITH YOU?

24 A. YEAH, BUT ONCE HE FOUND OUT THAT I WAS
25 BEING KEPT FOR A D&C AND SO FORTH, HE WENT TO THE POLICE

1 STATION.

2 Q. AND YOU WERE TWO MONTHS PREGNANT?

3 A. YES.

4 Q. AND WERE YOU SHOWING AT THE TIME?

5 A. NO.

6 Q. SO YOU WERE TWO MONTHS PREGNANT BUT YOU WERE
7 NOT SHOWING FOR ANYONE TO SEE IT?

8 A. NO.

9 Q. DID YOU ADVISE THE POLICE OFFICERS WHO WERE
10 INVOLVED THAT YOU WERE PREGNANT?

11 A. YES.

12 Q. WHAT, IF ANYTHING, DID THEY SAY WHEN YOU
13 ADVISED THEM THAT YOU WERE PREGNANT AT THE TIME?

14 A. THEY JUST WAS SO NASTY. THEY SAID, I THINK
15 THEY SAID, 'WHAT THE FUCK DO WE CARE.'

16 Q. NOW, WAS YOUR HUSBAND OR YOU DOING ANYTHING
17 BEFORE YOU WERE STOPPED BY THE POLICE?

18 A. NO.

19 Q. AND CHARGES WERE FILED AGAINST YOU?

20 A. NO.

21 Q. OTHER THAN YOUR HUSBAND REPORTING IT TO THE
22 POLICE STATION, WAS ANY REPORT FILED ANYWHERE ELSE ASIDE FROM
23 THE HOSPITAL AS TO WHAT HAPPENED?

24 A. OH, I WENT TO SOME PLACE ON 13TH AND LOCUST,
25 11TH AND LOCUST,

1 Q. P.I.L.C.O.P.?

2 A. I THINK.

3 Q. THAT'S THE PHILADELPHIA LAW CENTER?

4 A. YES.

5 Q. AND HOW LONG AFTER THE INCIDENT DID YOU GO
6 TO THAT OFFICE TO REPORT IT?

7 A. WELL, I CALLED, I WOULD SAY ABOUT TWO WEEKS
8 OR A WEEK.

9 Q. ABOUT TWO WEEKS AFTER YOU WENT TO THAT
10 CENTER?

11 A. UM-HUM.

12 Q. HAVE YOU SEEN A LAWYER OR ANYBODY ELSE WITH
13 REGARD TO WHAT HAPPENED TO YOU?

14 A. NO.

15 Q. HAD YOU OR YOUR HUSBAND EVER HAD ANY TROUBLE
16 WITH THOSE SAME POLICEMEN BEFORE THIS HAPPENED?

17 A. NO.

18 Q. HAVE YOU SEEN ANY OF THEM AFTER THAT?

19 A. NO.

20 Q. HAD YOU EVER HAD ANY CONFRONTATION WITH THE
21 POLICE BEFORE THAT?

22 A. NO.

23 Q. NOW YOU SAID THIS OCCURRED AT 25TH AND --

24 A. JACKSON.

25 Q. THAT WAS NEAR THE WILSON PARK PROJECTS?

1 A. YES.

2 Q. WERE THERE ANY OTHER WITNESSES AROUND WHO
3 SAW WHAT HAPPENED TO YOU?

4 A. NO.

5 Q. WAS THERE ANY RACIAL CONFRONTATION OR ANY
6 OTHER KIND OF PROBLEM ALONG THAT AREA AT THE TIME?

7 A. NO.

8 Q. WERE YOU ADVISED THEY WERE LOOKING FOR ANY
9 CRIMINALS OR ANYBODY FOR A CRIME?

10 A. NO.

11 Q. HOW OLD ARE YOU?

12 A. TWENTY.

13 Q. TWENTY YEARS OLD?

14 A. YES.

15 Q. DO YOU HAVE ANY CHILDREN?

16 A. NO.

17 Q. WAS THAT YOUR FIRST PREGNANCY?

18 A. NO.

19 Q. YOU HAD A MISCARRIAGE BEFORE?

20 A. UM-HUM.

21 Q. HOW MANY MISCARRIAGES HAVE YOU HAD?

22 A. FOUR.

23 Q. WOULD IT BE CORRECT TO SAY YOU HAVE
24 DIFFICULTY CARRYING A CHILD?

25 A. YEAH.

1 Q. YOUR OTHER MISCARRIAGES, DID YOU HAVE ANY
2 OTHER PROBLEM CONNECTED WITH THEM?

3 A. YOU SEE, MY OTHER MISCARRIAGES COME BETWEEN
4 THE FOURTH, FIFTH AND SIXTH MONTHS.

5 Q. YOUR OTHER MISCARRIAGES OCCURRED BETWEEN
6 FOUR, FIVE AND SIX MONTHS; IS THAT RIGHT?

7 A. YES.

8 REPRESENTATIVE WILLIAMS: OKAY, I HAVE NO OTHER
9 QUESTIONS.

10 (DISCUSSION OF THE RECORD.)

11 CHAIRMAN RHODES: IT IS THE PREROGATIVE OF THE
12 SUBCOMMITTEE CHAIRMAN, AND I HAVE RECONSIDERED THE DECISION
13 THAT MEMBERS OF THE HOUSE WHO ARE NOT MEMBERS OF THE
14 SUBCOMMITTEE, CANNOT ASK QUESTIONS. IF YOU WOULD LIKE TO ASK
15 QUESTIONS, PLEASE DO SO.

16 BUT THE WITNESSES UNDERSTAND, YOU ARE BEING
17 ASKED QUESTIONS UNDER OATH, EXCEPT FOR QUESTIONS DIRECTED TO
18 YOU BY THOSE REPRESENTATIVES NOT ON THE SUBCOMMITTEE.

19 REPRESENTATIVE CIANCIULLI.

20 REPRESENTATIVE CIANCIULLI:

21 Q. DID THE POLICE AT ANY TIME SAY TO YOU WHY
22 YOU WERE BEING STOPPED?

23 A. NO. WE ASKED THEM, THEY NEVER SAID WHY.

24 CHAIRMAN RHODES: REPRESENTATIVE OLIVER.

25 REPRESENTATIVE OLIVER:

1 Q. YES. I DIDN'T HEAR YOU TOO CLEARLY, BUT
2 WAS ANYONE ARRESTED AND CHARGED?

3 A. NO.

4 Q. NONE WHATSOEVER?

5 A. NO.

6 CHAIRMAN RHODES: REPRESENTATIVE SCIRICA.

7 REPRESENTATIVE SCIRICA: NO QUESTIONS.

8 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

9 REPRESENTATIVE RICHARDSON:

10 Q. MRS. BEY, WOULD YOU DESCRIBE FOR US --
11 REPRESENTATIVE WILLIAMS WENT OVER PRETTY THOROUGHLY THE POINT
12 THAT YOUR MISCARRIAGES IN THE PAST OCCURRED BETWEEN FOUR,
13 FIVE AND SIX MONTHS?

14 A. YES.

15 Q. DO YOU FEEL -- DESCRIBE THE INCIDENT WITH
16 THE POLICE AGAIN WHERE YOU WERE VIOLATED. WHAT YOU FELT WAS
17 THE CAUSE OF THE MISCARRIAGE?

18 A. WELL, LIKE WHEN I WAS GETTING OUT, WHEN THEY
19 TOLD US TO GET OUT OF THE CAR, I DIDN'T GET OUT FAST ENOUGH.
20 WHEN THEY PUSHED ME, I ALMOST FELL. THEN THEY HAD ME
21 STANDING UP WITH MY HAND AGAINST THE WALL WITH MY LEGS
22 SQUATTED.

23 CHAIRMAN RHODES: DO YOU KNOW THE NAME OF THE
24 POLICE OFFICER?

25 A. I KNOW ONE OF THEM, CUBBAGE.

1 REPRESENTATIVE RICHARDSON:

2 Q. OTHER THAN THAT, YOU DIDN'T GET ANY OF THE
3 OTHER NAMES OF THE POLICE OFFICERS?

4 A. IT WAS ONLY TWO.

5 Q. P.I.L.C.O.P., 13TH AND WALNUT, DID YOU GO
6 THERE, OR THE COMMUNITY LEGAL SERVICES OR THE LAW CENTER?

7 A. I THINK IT WAS, I THINK IT WAS COMMUNITY
8 LEGAL SERVICES. I KNOW I WENT TO THE 16TH FLOOR.

9 Q. ASK SOMEBODY, DOES ANYBODY KNOW? IS THERE
10 SOMEONE YOU CAN ASK?

11 A. I THINK IT'S LOCUST OR WALNUT.

12 Q. YOU DON'T RECALL?

13 A. NO.

14 Q. OKAY, WALNUT IS P.I.L.C.O.P. IF IT IS NOT,
15 IT COULD BE COMMUNITY LEGAL SERVICES. I AM TRYING TO
16 ASCERTAIN WHERE.

17 DO YOU REMEMBER WHO YOU SPOKE TO?

18 A. YEAH, MARION CLARK.

19 Q. DID YOU EVER GET ANY PAPERS OR ANYTHING LIKE
20 THAT?

21 A. NO.

22 Q. DID YOU GO TO THE POLICE DEPARTMENT ITSELF
23 AND FILE A COMPLAINT?

24 A. MY HUSBAND DID.

25 Q. YOUR HUSBAND DID; DO YOU KNOW WHO HE SPOKE

1 TO?

2 A. NO.

3 Q. DO YOU KNOW WHETHER OR NOT YOU GOT A
4 RESPONSE BACK FROM THE POLICE RELATIVE TO THE COMPLAINT HE
5 FILED?

6 A. NO, BECAUSE THEY CAME TO THE HOSPITAL AND
7 QUESTIONED US.

8 Q. THEY CAME TO THE HOSPITAL AND QUESTIONED
9 YOU?

10 A. AND QUESTIONED EVERYBODY AROUND, EVERYBODY
11 OUT OF MY FAMILY AND EVERYTHING.

12 Q. AND WHAT DID THEY SAY, DO YOU REMEMBER?

13 A. TO ME?

14 Q. WHAT DID THE POLICE SAY TO YOU?

15 A. WHEN THEY QUESTIONED ME, THEY DIDN'T SAY
16 NOTHING TO ME BECAUSE I TOLD THEM I DIDN'T WANT TO TALK TO
17 THEM.

18 Q. SO YOU DIDN'T TALK TO THEM?

19 A. NO.

20 Q. YOU INDICATED THAT YOU WANTED TO FILE A
21 COMPLAINT?

22 A. YES.

23 Q. NOW OTHER THAN YOU NOT TALKING TO THEM THAT
24 DAY, DID YOU TALK TO THEM ON ANOTHER DAY?

25 A. NO.

1 Q. DID YOU TALK TO ANYONE FROM THE POLICE
2 DEPARTMENT SINCE THEN CONCERNING THIS MATTER?

3 A. NO.

4 Q. IS YOUR HUSBAND HERE?

5 A. YES.

6 Q. CAN WE ASK HIM TO COME UP.

7

8 JOSEPH BEY, AFFIRMED.

9

10 CHAIRMAN RHODES: WOULD YOU STATE YOUR NAME AND
11 ADDRESS?

12 A. JOSEPH BEY, 3411 SPRING GARDEN.

13 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

14 REPRESENTATIVE RICHARDSON:

15 Q. MR. BEY, YOU HEARD TESTIMONY AS FAR AS YOUR
16 WIFE GAVE?

17 A. YES.

18 Q. AS A RESULT OF THE INCIDENT THAT OCCURRED
19 WITH YOUR WIFE AROUND APRIL OF '78, WHAT DID YOU DO?

20 A. WHAT DID I DO OR -- AFTER THE INCIDENT
21 HAPPENED, I WENT STRAIGHT TO THE 17TH DISTRICT POLICE STATION
22 AND I REPORTED IT, I SPOKE TO THE LIEUTENANT, RIGHT, AND I
23 TOOK OUT WHATEVER THEY CALL IT--

24 CHAIRMAN RHODES: A COMPLAINT?

25 A. YEAH, COMPLAINT, TOOK OUT A COMPLAINT. ANH

1 FROM THERE THEY TOOK ME TO THE 17TH DISTRICT TO 24TH AND
2 WOLF, AND I SPOKE TO A DETECTIVE.

3 REPRESENTATIVE RICHARDSON:

4 Q. WHAT'S AT 24TH AND WOLF?

5 A. POLICE STATION, DETECTIVES.

6 Q. SOUTHWEST DETECTIVES?

7 A. YES. I SPOKE TO A LIEUTENANT IN THERE, THEY
8 TOOK OUT ANOTHER COMPLAINT THERE. I HAD TO WRITE OUT A
9 STATEMENT.

10 CHAIRMAN RHODES: DO YOU RECALL THE NAME OF THE
11 FIRST LIEUTENANT YOU SPOKE TO?

12 A. NO, I CAN'T REMEMBER HIS NAME.

13 CHAIRMAN RHODES: WHAT ABOUT THE SECOND?

14 A. NO.

15 CHAIRMAN RHODES: GO AHEAD.

16 A. AND I JUST TOOK OUT THE COMPLAINT FROM
17 THERE. AFTER THAT, I WENT STRAIGHT BACK HOME.

18 THEN THEY SENT ME A LETTER TO COME TO 12TH
19 AND WALNUT.

20 REPRESENTATIVE RICHARDSON:

21 Q. WHO SENT YOU THE LETTER?

22 A. I DON'T KNOW EXACTLY WHO IT WAS.

23 CHAIRMAN RHODES: FROM THE POLICE DEPARTMENT?

24 A. I DON'T KNOW WHO EXACTLY THE LETTER WAS
25 FROM.

1 CHAIRMAN RHODES: IT WAS FROM THE POLICE
2 DEPARTMENT?

3 A. YEAH, IT WAS.

4 MRS. BEY: NO.

5 CHAIRMAN RHODES: YOU SAID YES, SHE SAYS NO.
6 WAS IT FROM THE POLICE DEPARTMENT?

7 MRS. BEY: NO, I CALLED THAT PLACE MYSELF. I
8 GOT IT OUT OF THE TELEPHONE BOOK.

9 REPRESENTATIVE RICHARDSON:

10 Q. THEN THEY SENT YOU A LETTER?

11 MRS. BEY: I DON'T KNOW.

12 MR. BEY: YEAH, A LETTER TELLING US TO COME UP
13 THERE AND TELL THEM OUR CASE. WE WENT UP THERE AND TOLD
14 THEM OUR CASE. AFTER THAT WE DIDN'T HEAR NO MORE ABOUT IT.

15 CHAIRMAN RHODES: YOU WENT UP WHERE?

16 MR. BEY: 12TH AND WALNUT.

17 REPRESENTATIVE RICHARDSON: DO YOU REMEMBER THE
18 NAME OF THE ORGANIZATION?

19 MRS. BEY: NO, I DON'T REMEMBER THE NAME OF THE
20 ORGANIZATION.

21 REPRESENTATIVE RICHARDSON: I HAVE NO FURTHER
22 QUESTIONS.

23 CHAIRMAN RHODES: REPRESENTATIVE WHITE.

24 REPRESENTATIVE WHITE: NO QUESTIONS.

25 CHAIRMAN RHODES: REPRESENTATIVE JOHNSON.

1 REPRESENTATIVE JOHNSON: NO QUESTIONS.

2 CHAIRMAN RHODES: THANK YOU FOR COMING. I
3 APPRECIATE YOU COMING FORWARD WITH TESTIMONY FOR OUR RECORD.

4 (WITNESSES EXCUSED.)

5 CHAIRMAN RHODES: AT THIS TIME WE WOULD LIKE
6 TO CALL MR. BOWSER AS OUR NEXT WITNESS.

7 MR. BOWSER, DO YOU HAVE IN YOUR POSSESSION A
8 SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE?

9 MR. BOWSER: YES, I DO.

10

11

CHARLES W. BOWSER, SWORN.

12

CHAIRMAN RHODES: HAVE YOU ANY STATEMENT THAT
13 YOU WOULD LIKE TO ENTER FOR THE RECORD?

14

A. YES, A VERY BRIEF STATEMENT, MR. CHAIRMAN.

15

I WOULD LIKE TO, FIRST OF ALL, MR. CHAIRMAN,
16 CONGRATULATE THE MEMBERS OF THIS COMMITTEE FOR HOLDING THESE
17 IMPORTANT HEARINGS WITHIN THE NEIGHBORHOODS WHERE CITIZENS
18 CAN HAVE EASY ACCESS TO THE COMMITTEE. I AM ESPECIALLY
19 PLEASED TO HAVE AN OPPORTUNITY TO TESTIFY BEFORE THE
20 COMMITTEE AT THIS HEARING BECAUSE I GREW UP IN MY PARENTS
21 HOME IN THE 2500 BLOCK OF NICHOLAS STREET, WHICH IS DIRECTLY
22 BEHIND THIS CHURCH; AND MY MOTHER, WHO IS IN THE AUDIENCE
23 TODAY, STILL RESIDES THERE.

24

MY CREDENTIALS AS A WITNESS IN THESE

25

HEARINGS BEGINS WITH MY APPOINTMENT TO THE MAYOR'S POLICE

1 ADVISORY BOARD BY FORMER MAYOR DILWORTH. AS A MEMBER OF THAT
2 BOARD I HAD THE OPPORTUNITY TO REVIEW THE FACTS AND HUNDREDS
3 OF CASES OF ALLEGED POLICE ABUSE OF AUTHORITY AND THE USE OF
4 EXCESSIVE FORCE ON CITIZENS OF THIS CITY.

5 AS A PRACTICING ATTORNEY FOR 19 YEARS, I
6 HAVE REPRESENTED SCORES OF CLIENTS WHO HAD BEEN THE VICTIMS
7 OF POLICE BRUTALITY AND ABUSE; AND AS AN INDIVIDUAL I HAVE
8 BEEN ILLEGALLY STOPPED AND DETAINED BY PHILADELPHIA POLICEMEN
9 ON MORE THAN ONE OCCASION. WHILE THE EXCESSES OF SOME
10 POLICEMEN ARE A RELATIVELY NEW PROBLEM TO THE PHILADELPHIA
11 MAJORITY COMMUNITY, IT IS A BITTER TRADITION OF THE CITY'S
12 BLACK COMMUNITY.

13 AS A LAW SCHOOL STUDENT I WALKED UP AND DOWN
14 COLUMBIA AVENUE BETWEEN MY PARENT'S HOME AND LAW SCHOOL
15 ALMOST EVERYDAY FOR THE THREE YEARS BETWEEN 1954 AND 1957. I
16 WAS REGULARLY STOPPED BY POLICE WHO SEARCHED MY BRIEFCASE. I
17 NEVER COMPLAINED ABOUT THESE INCIDENTS OR REPORTED THEM
18 BECAUSE I REALIZED THAT NOTHING WOULD BE DONE ABOUT IT AND I
19 WOULD PROBABLY ANTAGONIZE POLICEMEN WHO WOULD THEN MAKE
20 CERTAIN THEY FOUND SOMETHING INCRIMINATING ME.

21 SINCE BECOMING A LAWYER I HAVE BEEN
22 ILLEGALLY STOPPED AND DETAINED BY POLICEMEN ON TWO OCCASIONS.
23 EACH OF THOSE INCIDENTS WERE REPORTED TO THE POLICE
24 DEPARTMENT AND IN EACH CASE, POLICE OFFICIALS MERELY
25 JUSTIFIED THE ACTIONS OF THE OFFICERS INVOLVED.

1 IT IS ALMOST IMPOSSIBLE FOR A BLACK MALE TO
2 LIVE IN THIS CITY WITHOUT BEING STOPPED AND DETAINED BY THE
3 POLICE WITHOUT JUST CAUSE AND THERE IS CURRENTLY NO REMEDY
4 FOR THESE VIOLATIONS OF CITIZENSHIP RIGHTS AND PERSONAL
5 PRIVACY.

6 IN SUPPORT OF THE RECOMMENDATIONS I INTEND
7 TO MAKE TO THE COMMITTEE, I WOULD LIKE TO SUBMIT, AND I HAVE
8 THEM HERE, COPIES OF THE COMPLAINTS WHICH HAVE BEEN FILED BY
9 MY LAW FIRM IN 15 SUITS ALLEGING VARIOUS ACTS OF POLICE ABUSE
10 AND BRUTALITY. THE ACTS INVOLVED RANGE FROM SHOOTING A CAB
11 DRIVER TO DEATH TO FIRING BULLETS INTO THE BEDROOM WHERE
12 SMALL CHILDREN WERE ASLEEP, TO ILLEGALLY ENTERING A PRIVATE
13 RESIDENCE AND BEATING THE ENTIRE FAMILY -- MEN, WOMEN AND
14 CHILDREN -- WITH NIGHTSTICKS AND BLACKJACKS.

15 THESE 15 SUITS INVOLVE THE COMPLAINTS OF 30
16 PERSONS; 22 ARE MEN, 14 ARE WOMEN, AND FOUR ARE CHILDREN.

17 IN ADDITION, THERE ARE SIX OTHER CASES WHICH
18 MY LAW FIRM IS CURRENTLY PREPARING FOR SUIT. IN THE CASES
19 WHICH HAVE BEEN FILED, 65 POLICEMEN ARE SUED.

20 I HOPE THE COMMITTEE WILL CAREFUL REVIEW
21 THESE COMPLAINTS, ALL OF WHICH ARE SWORN TO UNDER OATH.

22 I SUGGEST TO THE COMMITTEE THAT FOR EVERY
23 SUCH COMPLAINT, THERE ARE AT LEAST TEN WHERE INDIVIDUALS DO
24 NOT CONTACT LAWYERS OR ANYONE ELSE.

25 IN ADDITION TO COLLECTING COMPENSATORY AND

1 PUNITIVE DAMAGES FOR ACTS OF ABUSE BY POLICEMEN, THESE SUITS
2 SHOULD SERVE AS A DETERRENT, BUT BECAUSE THE CITY HAS IN THE
3 PAST SUCCESSFULLY DELAYED THESE SUITS AND THE INDIVIDUAL
4 POLICEMAN DOES NOT SHARE THE BURDEN OF THE COST OF
5 LITIGATION NOR THE PAYMENT OF THE VERDICT, THEY HAVE NOT BEEN
6 A DETERRENT.

7 TO CORRECT THE PROBLEMS CAUSED BY THE CITY'S
8 DELAYING TACTICS, I RECENTLY FILED AN ACTION WITH THE
9 PHILADELPHIA COURT OF COMMON PLEAS REQUESTING THAT ALL CASES
10 OF ALLEGED POLICE ABUSE AND BRUTALITY BE GIVEN PREFERENTIAL
11 LISTINGS FOR TRIALS AND THAT JUDGES BE SPECIALLY ASSIGNED TO
12 OVERSEE ALL PRETRIAL MOTIONS SO AS TO EXPEDITE THE CASES.

13 PRESIDENT JUDGE EDWARD J. BRADLEY HAS
14 GRANTED THESE REQUESTS; AND NOW LAWYERS WHO REPRESENT PERSONS
15 WHO ARE THE VICTIMS OF POLICE ABUSE CAN HAVE THEIR CASES
16 EXPEDITED, AND IT IS POSSIBLE TO BRING ONE OF THESE CASES TO
17 TRIAL IN ABOUT EIGHT MONTHS.

18 BEFORE THIS APPROACH WAS TAKEN, IT TOOK AS
19 LONG AS TWO YEARS TO BRING ONE OF THESE CASES TO TRIAL.

20 IT IS ALSO IMPORTANT FOR THE COMMITTEE TO
21 KNOW THAT THESE CIVIL SUITS INVOLVE MORE THAN AN ACTION FOR
22 ASSAULT AND BATTERY. THE LAW ALSO PROVIDES FOR RECOVERY OF
23 INTENTIONALLY INFLICTING EMOTIONAL HARM, FALSE IMPRISONMENT,
24 FALSE ARREST AND VIOLATION OF RIGHTS GUARANTEED BY THE STATE
25 CONSTITUTION.

1 HOWEVER, THE PROVISIONS OF THE LAW AND THE
2 OBTAINING OF AN ADEQUATE REMEDY ARE NOT ALWAYS AVAILABLE TO A
3 VICTIM OF ABUSE BECAUSE OF THE CONTROL OF THE INVESTIGATORY
4 PROCESS BY THE POLICE DEPARTMENT.

5 THEREFORE, I RECOMMEND TO THE COMMITTEE THAT
6 LEGISLATION BE DRAFTED AND ENACTED TO DO THE FOLLOWING:
7 REQUIRE THAT LOCAL GOVERNMENTS TAKE DISCIPLINARY ACTION
8 COMMENSURATE WITH THE OFFENSE WHENEVER A CIVIL TRIAL RESULTS
9 IN A FINDING THAT A POLICE OFFICER HAS BEEN GUILTY OF ABUSE
10 OF AUTHORITY OR THE USE OF EXCESSIVE FORCE. THUS FAR THERE
11 IS NO SUCH REQUIREMENT.

12 REQUIRE THAT ANY ACCUMULATED PENSION OR
13 OTHER FUNDS OF AN OFFICER GUILTY OF ABUSE, WHICH ARE IN THE
14 CONTROL OF LOCAL GOVERNMENTS, BE ATTACHED TO HELP PAY ANY
15 VERDICTS BASED ON POLICE ABUSE. OTHERWISE, A POLICEMAN WHO
16 COMMITS BRUTALITY DOESN'T PAY ANYTHING; AND THE TAXPAYERS,
17 ONE OF WHOM IS THE VICTIM OF THE BRUTALITY, ENDS UP PAYING
18 HIS OWN VERDICT.

19 REQUIRE THAT LOCAL POLICE DEPARTMENTS
20 MAINTAIN AS PUBLIC RECORDS ALL COMPLAINTS OF ALLEGED POLICE
21 ABUSE AND THE DISPOSITION OF THOSE COMPLAINTS.

22 REGULATE THE USE OF WEAPONS BY POLICE
23 OFFICERS. THUS FAR, THAT IS BASED ON POLICIES AT THE LOCAL
24 LEVEL. THERE IS NO UNIFORM REGULATION OF WHEN A POLICEMAN
25 PULLS HIS GUN.

1 IN ONE OF MY CASES WHICH IS THE CASE OF THE
2 CAB DRIVER WHO WAS SLAIN, THE POLICE OFFICER STOPPED THE CAB
3 DRIVER WHO WAS DRIVING THE CAB AND HAD HIM SPREAD-EAGLE
4 AGAINST THE CAR AND HELD A COCKED REVOLVER IN HIS BACK WHILE
5 HE SEARCHED HIM, AND SUBSEQUENTLY SHOT THE MAN IN THE BACK
6 AND KILLED HIM.

7 NOW THERE WAS ABSOLUTELY NO REASON FOR THE
8 POLICE OFFICER TO DRAW HIS WEAPON AND TO COCK IT.

9 THE FIRST REPORTS FROM THE POLICE DEPARTMENT
10 WERE THAT THIS WAS STANDARD PROCEDURE; LATER POLICEMEN SAID
11 IT WAS NOT STANDARD PROCEDURE. SO OBVIOUSLY THERE IS NO
12 CLARITY AS TO WHEN POLICE OFFICERS ARE SUPPOSED TO EVEN USE
13 THEIR WEAPONS.

14 PROVIDE FOR A STATE SUPERVISED INVESTIGATION
15 WHENEVER A POLICE OFFICER SLAYS AN UNARMED PERSON.

16 I THINK THAT TO HAVE A LOCAL POLICE
17 DEPARTMENT INVESTIGATING ITS OWN MEMBERS WHEN THEY SLAY AN
18 UNARMED CITIZEN IS REALLY A RIDICULOUS SITUATION, AND THE
19 RESULTS OF SUCH AN INVESTIGATION ARE PREDICTABLE.

20 PROVIDE TO THE HEIRS OF A VICTIM OF A
21 KILLING BY A POLICE OFFICER THE OPTION OF HAVING THE CASE
22 PROSECUTED BY THE STATE ATTORNEY GENERAL'S OFFICE.

23 WHILE THE LOCAL DISTRICT ATTORNEY, RENDELL,
24 HAS BEEN AGGRESSIVE IN PROSECUTING THESE CASES, THAT IS NOT
25 USUALLY THE CASE. SINCE LOCAL DISTRICT ATTORNEYS NEED THE

1 COOPERATION OF THE P.D. IN THE PROSECUTION OF CRIMINAL
2 MATTERS, IT IS OFTEN VERY DIFFICULT TO GET A DISTRICT
3 ATTORNEY, AS IT WAS WITH PREVIOUS DISTRICT ATTORNEYS IN THIS
4 CITY, TO PROSECUTE POLICE BRUTALITY CASES.

5 PROVIDE PROTECTION FOR POLICE OFFICERS WHO
6 ACT TO INTERVENE TO STOP POLICE ABUSE OR WHO REPORT OFFENSES
7 BY FELLOW OFFICERS.

8 THE LAST RECOMMENDATION IS THE RESULT OF
9 THOSE INSTANCES WHERE POLICE OFFICERS HAVE COMPLAINED
10 PRIVATELY AND OFF THE RECORD ABOUT THE ABUSES OF FELLOW
11 OFFICERS, BUT HAVE BEEN AFRAID TO TRY TO PREVENT THE ABUSES
12 OR TO REPORT THEM.

13 ABUSE OF AUTHORITY AND THE USE OF EXCESSIVE
14 FORCE ARE VERY SERIOUS PROBLEMS IN THIS CITY. THESE
15 VIOLATIONS OF LAW AND HUMAN RIGHTS ARE COSTING LIVES AND
16 SEVERE EMOTIONAL AND PHYSICAL PAIN FOR MANY DECENT,
17 LAW-ABIDING CITIZENS WHO WORK HARD. PAY TAXES AND HAVE A
18 RIGHT TO PROTECTION FROM OFFICIAL ABUSE.

19 NEVERTHELESS, IT WOULD BE UNFAIR NOT TO
20 STATE THAT THERE ARE ALSO THOUSANDS OF PHILADELPHIA
21 POLICEMEN WHO DO NOT ABUSE THEIR AUTHORITY AND HAVE NEVER
22 USED EXCESSIVE FORCE.

23 I AM CERTAIN THAT MANY OF THEM ARE ASHAMED
24 OF THE NATIONAL REPUTATION WHICH PHILADELPHIA POLICEMEN HAVE
25 FOR BRUTALITY. THESE POLICEMEN ARE ALSO VICTIMS OF THE

1 POLICIES OF THE CURRENT ADMINISTRATION WHICH REFUSES TO ACT
2 AGAINST POLICEMEN, NO MATTER HOW CONVINCING THE EVIDENCE,
3 THAT THEY HAVE ABUSED THEIR AUTHORITY.

4 IT MUST BE POSSIBLE TO WIN THE BATTLE AGAINST
5 CRIME AND CRIMINALS WITHOUT BEATING, KILLING AND ABUSING
6 HONEST, LAW-BIDING CITIZENS.

7 IT MUST BE POSSIBLE TO BE BORN BLACK IN
8 PHILADELPHIA AND LIVE WITHOUT UNJUSTIFIED ARRESTS AND
9 DETENTION BY POLICEMEN. IT MUST BE POSSIBLE TO BE FREE IN
10 PHILADELPHIA WITHOUT THE FEAR OF UNWARRANTED POLICE INTRUSION
11 INTO OUR LIVES.

12 THE CHALLENGE TO THIS COMMITTEE, AND TO ALL
13 OF US WHO STILL BELIEVE IN OUR DEMOCRACY, IS TO FASHION THE
14 RULES OF LAW AND THE AVAILABLE REMEDIES THAT WILL PROVIDE THE
15 MAXIMUM ASSURANCE THAT EACH OF US AND ALL OF US CAN LIVE
16 WITHOUT FEARING THE POLICE WHO PROTECT US.

17 WE DARE NOT FAIL TO MEET THIS CHALLENGE.
18 THE COMMUNITY DESPERATELY NEEDS GOOD POLICE PROTECTION; BUT
19 WE SHOULD NOT HAVE TO SURRENDER PRECIOUS RIGHTS OF LIBERTY TO
20 GET THAT PROTECTION.

21 CHAIRMAN RHODES: THANK YOU, MR. BOWSER. DO
22 YOU HAVE THOSE AFFIDAVITS WITH YOU?

23 A. I HAVE THEM HERE, I WILL LEAVE THESE HERE
24 FOR THE COMMITTEE

25 CHAIRMAN RHODES: QUESTIONS ON MY RIGHT.

1 REPRESENTATIVE CIANCIULLI.

2 REPRESENTATIVE CIANCIULLI: I WILL PASS.

3 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS, DO
4 YOU HAVE ANY QUESTIONS?

5 REPRESENTATIVE WILLIAMS:

6 Q. MR. BOWSER, YOUR OBSERVATIONS AND YOUR
7 RECOMMENDATIONS ALSO I CONGRATULATE YOU FOR. I THINK THAT
8 THEY ARE SOUND AND I ESPECIALLY AM PLEASED BY YOUR REMARKS
9 THAT GENERALLY INDICATE THAT IT IS A VERY IMPORTANT TASK THAT
10 THIS COMMITTEE UNDERTAKES, FROM WHAT YOU SAY. AND IT ALSO
11 SEEMS TO SUGGEST THAT YOU CONSIDER THIS PROBLEM A VERY
12 SERIOUS AND WIDESPREAD ONE IN PHILADELPHIA.

13 IS THAT CORRECT?

14 A. ABSOLUTELY.

15 Q. I ALSO AGREE WITH YOUR RECOMMENDATIONS, MOST
16 ALL OF THE RECOMMENDATIONS, AND IN PARTICULAR ONE WHICH WE
17 HAVE BEEN STRUGGLING WITH AND ONE WHICH I HAVE ALWAYS
18 ADVOCATED, THAT THERE BE A MECHANISM ASIDE FROM THE LOCAL
19 DISTRICT ATTORNEY AND POLICE, WISELY POINTED OUT, THAT
20 DOESN'T DEPEND ON THE DISTRICT ATTORNEY. YOU HAVE TO HAVE A
21 MECHANISM TO ASSURE THEY DON'T CONTROL IT AND KEEP THE
22 CITIZENS FROM MAKING A COMPLAINT.

23 YOU SEEM TO LIMIT THAT MACHINERY THOUGH TO
24 CASES OF KILLING.

25 WE HAVE HEARD A LOT OF TESTIMONY INDICATING

1 A LOT OF OTHER FORMS OF ABUSE AND INTIMIDATION. OF COURSE
2 WHEN THE KILLINGS GET IN THE PAPER, THEY RECOUNT THAT.

3 I WONDER IF YOUR IDEA WOULD ALSO APPLY TO
4 THE SITUATION SO THAT ANY CITIZEN WHO WAS INTIMIDATED,
5 ABUSED, PHYSICALLY ABUSED, EVEN THOUGH HE DIDN'T DIE, CAN
6 IMMEDIATELY HAVE A FAIR HEARING BY A STATE SOURCE.

7 WOULD YOUR COMMENTS ALSO SUPPORT SUCH AN
8 IDEA?

9 A. I THINK IN THE ABSTRACT THAT WOULD BE A
10 GREAT THING. I THINK THE REALITY OF IT, THE VOLUME WOULD BE
11 OVERWHELMING. I DON'T KNOW HOW THAT CAN BE MANAGED.

12 I KNOW WHEN I WAS ON THE POLICE ADVISORY
13 BOARD, THE VOLUME WAS ENORMOUSLY THICK. WE TOOK EVERY
14 COMPLAINT. AND NOT ALL COMPLAINTS ARE JUSTIFIED; SO THAT I
15 WOULD SUGGEST THAT THERE SHOULD BE SOME JURISDICTIONAL LIMIT.

16 NOW WHETHER IT IS INJURING OR KILLING, YOU
17 KNOW, IT'S SOMETHING THAT COULD BE DETERMINED; BUT I THINK IF
18 YOU OPEN TO EVERY COMPLAINT, YOU WOULD REALLY BE ASKING FOR A
19 MAJOR TASK AND A MAJOR PARTICIPATION OF LOCAL GOVERNMENT BY
20 THE STATE WHICH MIGHT NOT BE WARRANTED.

21 BUT THERE OUGHT TO BE, THE CUTOFF DOESN'T
22 HAVE TO BE WHAT I RECOMMEND, IT DOESN'T HAVE TO BE KILLINGS,
23 IT COULD BE PHYSICAL INJURY.

24 Q. FROM WHAT WE HAVE BEEN HEARING, IT SEEMS TO
25 BE TRUE THE PROBLEM IS WIDESPREAD AND A MAJOR PROBLEM. AND

1 ALSO WHAT SEEMS TO BE TRUE, THERE IS NOWHERE TO GO. AND IF
2 WE HAVE A MAJOR PROBLEM FOR CITIZENS AND NOWHERE TO GO, IT
3 SEEMS TO ME THE PROBLEM MAY BE BIG BUT SOMEONE HAS TO HANDLE
4 THAT PROBLEM.

5 A. AS I SAID, I THINK THAT WOULD BE IDEAL IF IT
6 COULD BEEN MANAGED, I THINK IT WOULD BE IDEAL.

7 Q. MR. BOWSER, YOU HAVE INDICATED THROUGH YOUR
8 COMMENTS THAT THE NATIONAL REPUTATION OF THE PHILADELPHIA
9 POLICE FORCE FOR POLICE VIOLENCE IS ONE THAT WE SHOULD BE
10 ASHAMED OF, EVEN THOUGH YOU SAY IT IS NOT THE WHOLE FORCE,

11 IS IT YOUR OPINION THAT THE PHILADELPHIA
12 POLICE SITUATION ON POLICE VIOLENCE IS --

13 A. WELL, I HAVE READ TWO ARTICLES IN NATIONAL
14 MAGAZINES WHICH RATED PHILADELPHIA IN POLICE VIOLENCE SECOND
15 ONLY TO HOUSTON. AND I REPRESENT CLIENTS IN HOUSTON, I WAS
16 IN HOUSTON WHEN THE PRIOR MAYOR OF HOUSTON WENT ON TELEVISION
17 TO SAY HE COULDN'T CONTROL THE POLICE ANY LONGER. THE POLICE
18 VIOLENCE GOT SO BAD IN HOUSTON, THE MAYOR WENT ON TELEVISION
19 AND SAID THAT HE JUST COULDN'T CONTROL THEM ANYMORE.

20 AND I THINK IT WAS TIME OR PHILADELPHIA
21 MAGAZINE, THEY RATED PHILADELPHIA SECOND,

22 Q. TO HOUSTON?

23 DO YOU THINK THE POLICE, ESPECIALLY IN
24 PHILADELPHIA, CAN CONTROL THE POLICE VIOLENCE?

25 A. MY EXPERIENCE IN CITY GOVERNMENT IS THAT THE

1 PHILADELPHIA POLICE DEPARTMENT AS A WHOLE HAS BEEN AMENABLE
2 TO DIRECTION; THAT WHEN THE POLICY DIRECTION WAS FIRM, CLEAR
3 AND WHEN IT WAS DISCIPLINARY ACTION TAKEN OF POLICY, THAT THE
4 POLICE OFFICERS OF THIS CITY HAVE CONFORMED.

5 AND I STILL HAVE IN MY MIND A VIVID MEMORY
6 OF THE '64 DISTURBANCE IN THE CITY WHEN THEN MAYOR TATE GAVE
7 ORDERS THAT THE POLICE WERE NOT TO ARREST OR APPREHEND ANY OF
8 THE PEOPLE INVOLVED BECAUSE HE DIDN'T WANT TO AGGRAVATE THE
9 SITUATION, AND THAT ORDER WAS CARRIED OUT TO THE LETTER. AND
10 I THINK THE RECORD OF THE POLICEMEN AS A WHOLE IS THAT THEY
11 DO RESPOND TO POSITIVE DIRECTION.

12 I THINK THAT, HOWEVER --

13 Q. BUT IN 1967 WHEN THE THEN POLICE CHIEF
14 VIOLATED THE ORDERS OF THE MAYOR --

15 A. WELL, THAT'S RIGHT. I SAID AS A WHOLE, I
16 AM NOT --

17 Q. AND NOW MAYOR?

18 A. YES. I SAID AS A WHOLE.

19 BUT HOWEVER WHEN DAY AFTER DAY THERE HAVE
20 BEEN POLICE OFFICERS INVOLVED IN CASES WHERE VERDICTS,
21 HUNDREDS OF THOUSANDS OF DOLLARS HAVE BEEN PAID BY THIS CITY
22 BECAUSE OF POLICE BRUTALITY AND NOTHING HAPPENED TO THE
23 POLICE -- I DON'T MEAN HE WAS SLAPPED ON THE WRIST. NOTHING
24 HAPPENED TO HIM, THAT'S ABSOLUTELY RIDICULOUS. WHEN A
25 POLICEMAN SEES THAT DAY AFTER DAY, WHAT KIND OF RESPECT CAN

1 YOU EXPECT HIM TO HAVE?

2 Q. IN SOME CASES POLICEMEN HAVE ACTUALLY BEEN
3 PROMOTED?

4 A. THAT'S RIGHT.

5 REPRESENTATIVE WILLIAMS: THANK YOU.

6 CHAIRMAN RHODES: REPRESENTATIVE OLIVER.

7 REPRESENTATIVE OLIVER:

8 Q. YOU MENTIONED IN YOUR TESTIMONY THEY REALLY
9 DON'T HAVE ANYBODY TO TURN TO.

10 WHAT WOULD BE YOUR FEELING ON A SITUATION
11 WHERE WE MIGHT HAVE HAD AN ELECTED BOARD RATHER THAN AN
12 APPOINTED ONE?

13 A. I THINK THAT THAT WOULD BE FINE IF THERE WAS
14 LEGISLATIVE AUTHORITY FOR IT. THE REASON WHY THE POLICE
15 ADVISORY BOARD WAS APPOINTED WAS BECAUSE THERE IS NO
16 AUTHORITY FOR IT UNDER THE CITY CHARTER EXCEPT THE GRANT TO
17 THE MAYOR OF AUTHORITY TO APPOINT ADVISORY BOARDS AND
18 COMMITTEES.

19 BUT IF THERE IS LEGISLATIVE AUTHORITY FOR IT
20 AND AUTHORITY FOR INDEPENDENT INVESTIGATION, BECAUSE OUR
21 BOARD GOT A BAD REPUTATION BECAUSE WE HAD TO USE THE
22 INVESTIGATION OF THE POLICE DEPARTMENT AND THAT'S JUST A
23 RIDICULOUS, THAT'S A LUDICROUS SITUATION.

24 CHAIRMAN RHODES: REPRESENTATIVE SCIRICA.

25 REPRESENTATIVE SCIRICA: NO QUESTIONS.

1 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

2 REPRESENTATIVE RICHARDSON:

3 Q. THANK YOU VERY MUCH FOR YOUR TESTIMONY.

4 MY QUESTION, MOVING TO AN AREA TRYING TO
5 FORMULATE SOME OPINION AS TO WHERE OUR CITY IS AT THE
6 PRESENT TIME, JUST HOW BAD IS THE SITUATION OF POLICE
7 VIOLENCE IN THE CITY OF PHILADELPHIA?

8 A. I WOULD SAY THAT I HAVEN'T DONE A SURVEY. I
9 READ THE STUDIES AS I AM SURE YOU HAVE, MR. RICHARDSON; BUT I
10 WOULD SAY AFTER INTERVIEWING THE INDIVIDUALS INVOLVED IN
11 THESE COMPLAINTS THAT IT REALLY IS HORRENDOUS.

12 ONE WOMAN INVOLVED IN A SUIT HAD JUST COME
13 HOME FROM THE HOSPITAL, IN FEBRUARY, THERE WAS SNOW ON THE
14 GROUND; THE POLICE CAME IN HER HOUSE, THEY WENT DOWNSTAIRS
15 AND STARTED BEATING UP HER MOTHER AND FATHER. SHE CAME DOWN
16 AND SAID, 'WHAT HAPPENED?' SHE HAD GOTTEN OUT OF BED AND HAD
17 ON A PAIR OF PANTIES AND BRA. THEY DRUG HER OUT OF THE HOUSE
18 BY HER ANKLE, IN THE SNOW.

19 ANOTHER LADY'S CASE NOT FILED YET, THEY CAME
20 TO HER HOUSE BECAUSE A SHOOTING BROKE OUT. SHE WAS LOOKING
21 OUT OF THE WINDOW WITH HER CHILDREN, THEY FIRED INTO THE
22 HOUSE, BROKE IN, RUSHED UPSTAIRS, FIRED INTO THE ROOM WHERE
23 CHILDREN SIX OR SEVEN YEARS OLD WERE ASLEEP, FIRED A SHOTGUN
24 IN THE CLOSET. SHE TOLD THEM NO ONE ELSE WAS IN THE HOUSE.

25 THEY THREW HER DOWNSTAIRS. THEN THEY

1 FINALLY LEFT. THE DISTRICT ATTORNEY IS NOW INVESTIGATING.

2 MOST PEOPLE GET THE IDEA THESE CASES INVOLVE
3 ONE PERSON AND A POLICE OFFICER ON THE STREET. I WILL TELL
4 YOU THE COMPLAINTS WE RECEIVE INVOLVE IN MANY INSTANCES WHOLE
5 FAMILIES JUST BEATEN SYSTEMATICALLY.

6 I WILL GO TO TRIAL TOMORROW TO DEFEND A
7 CITY EMPLOYEE WHO WAS TAKEN OFF THE STREET AND BEATEN BY A
8 PHILADELPHIA POLICEMAN. AND HE IS NOT THE ONLY ONE WE
9 REPRESENT; SO IT IS A VERY SERIOUS PROBLEM.

10 Q. MR. BOWSER, FOR OUR RECORDS THERE HAS BEEN
11 TESTIMONY OVER AND OVER AGAIN, BUT IT SEEMS TO ME THE
12 SINCERITY OF THIS PROBLEM DOESN'T SEEM TO GET OUT LIKE IT
13 SHOULD.

14 YOU INDICATED IN THE POOR MINORITY COMMUNITY
15 THE PROBLEM IS PREVALENT. COULD YOU EXPOUND JUST A LITTLE ON
16 WHERE WE ARE RELEVANT TO THE NUMBER OF POOR AND BLACKS WHO
17 ARE TREATED BY THIS PARTICULAR PROBLEM IN THE CITY OF
18 PHILADELPHIA. WOULD YOU SAY IT IS THE POOR BLACKS WHO ARE
19 TREATED THE WORST?

20 A. WELL I WOULD SAY, I WOULD CITE FOR YOU
21 BECAUSE I DON'T WANT TO USE MYSELF AS AN AUTHORITY, BUT I
22 WOULD CITE IN THE STUDIES BY DR. MARVIN WOLFGANG OF THE
23 UNIVERSITY OF PENNSYLVANIA WHO RECENTLY TESTIFIED IN A CASE
24 -- I DON'T THINK IT WAS IN THIS JURISDICTION, BUT HE
25 TESTIFIED IN PHILADELPHIA AND IN OTHER URBAN CENTERS -- IT IS

1 ALMOST IMPOSSIBLE FOR A BLACK MAN TO GROW UP AND NOT BE
2 UNLAWFULLY AND UNJUSTIFIABLY STOPPED AND DETAINED BY POLICE.

3 THERE WAS A STUDY IN THE CITY OF
4 PHILADELPHIA WHICH SHOWED THAT 50 PERCENT OF THE BLACK MALES
5 IN THE CITY OF PHILADELPHIA WILL BE ARRESTED FOR A MAJOR
6 CRIME BEFORE THE AGE OF 18.

7 CHAIRMAN RHODES: WHAT STUDY WAS THAT?

8 A. THAT WAS BY DR. MARVIN WOLFGANG. THAT STUDY
9 CAME OUT I THINK MAYBE FOUR OR FIVE YEAR AGO. SO INSOFAR AS
10 THE MINORITY COMMUNITY IS CONCERNED, THIS IS A NORMAL
11 OCCURRENCE,

12 I MEAN A YOUNG MAN WHO I KNOW IN THIS
13 AUDIENCE SAID TO ME WHILE I WAS SITTING HERE TONIGHT, 'DO YOU
14 THINK I HAVE A CASE?' I SAID, 'WHAT HAPPENED?'

15 HE SAID; 'THE OTHER NIGHT I WAS WALKING DOWN
16 THE STREET WITH MY WIFE, THE POLICE PULLED UP BESIDE ME; HE
17 SAID, 'PUT YOUR HANDS UP ON THE CAR.' I SAID, 'WHAT HAVE I
18 DONE?' HE TOOK ME TO ELEVENTH AND WINTER, PUT ME IN A CELL.
19 I SAID, 'I WANT TO MAKE A CALL.' THEY KEPT ME THERE 40
20 MINUTES. I SAID, 'WHAT WAS I ARRESTED FOR?'

21 AND HE ASKED ME, HE ASKED ME, 'DO I HAVE A
22 CASE?' AND THAT IS BECAUSE HE HAS LIVED, AS I HAVE LIVED AND
23 AS SOME OF THE MEMBERS ON THE COMMITTEE HAS LIVED WITH THIS
24 THING AS A NORMAL OCCURRENCE.

25 I WALKED FROM THIS CORNER TO TEMPLE LAW

1 SCHOOL EVERYDAY; AND TWO OR THREE TIMES A WEEK, BECAUSE I HAD
2 A BRIEFCASE I WAS STOPPED, PUT UP AGAINST THE WALL AND
3 SEARCHED. I HAD MY BRIEFCASE BECAUSE I WAS A LAW STUDENT.

4 Q. IN THE CITY OF PHILADELPHIA CAN YOU TELL US
5 WHO RUNS THE POLICE DEPARTMENT, THE COMMISSIONER OR THE MAYOR?

6 A. THE MAYOR, AND NOT BECAUSE THE -- BECAUSE
7 THAT'S THE WAY THE CITY CHARTER SETS IT UP. THE MAYOR IS
8 DIRECTLY AND ULTIMATELY RESPONSIBLE FOR THE OPERATION OF CITY
9 DEPARTMENTS AND HE HAS ALL THE AUTHORITY HE NEEDS UNDER THE
10 CITY CHARTER.

11 IN SOME CITIES LIKE HOUSTON, LOS ANGELES AND
12 OTHERS, THERE IS SORT OF A SHARING OF POWER BETWEEN THEM,
13 CITY COUNCIL AND THE MAYOR.

14 Q. BUT HE COULD STOP THE BRUTALITY HERE?

15 A. OH, YES, HE COULD STOP IT.

16 REPRESENTATIVE RICHARDSON: THANK YOU.

17 CHAIRMAN RHODES: REPRESENTATIVE WHITE.

18 REPRESENTATIVE WHITE: NO QUESTIONS.

19 CHAIRMAN RHODES: REPRESENTATIVE JOHNSON.

20 REPRESENTATIVE JOHNSON:

21 Q. IT SEEMS WE WILL HAVE TO USE SOME SORT OF
22 MECHANISM AS A DETERRENT. WHAT YOU ARE SAYING TO ME, AND I
23 THINK I LIKE THE IDEA, IS TO FIND SOME WAY TO BRING ABOUT A
24 PENALTY PLUS FOR ANY POLICEMAN WHO IS PROTECTED IN
25 PHILADELPHIA.

1 A. THERE SHOULD BE SOME DISCIPLINARY ACTION,
2 ABSOLUTELY.

3 CHAIRMAN RHODES: REPRESENTATIVE CIANCIULLI.
4 REPRESENTATIVE CIANCIULLI:

5 Q. AND YOU SUGGESTED REGULATING THE USE OF
6 WEAPONS BY POLICE OFFICERS?

7 A. FIRST OF ALL, THERE IS LAW ON IT,
8 REPRESENTATIVE CIANCIULLI. THE LAW IN THE COMMONWEALTH OF
9 PENNSYLVANIA IS A POLICE OFFICER DOES NOT HAVE A RIGHT TO USE
10 A WEAPON WHICH IS LIKELY TO CAUSE DEATH OR SERIOUS BODILY
11 INJURY UNLESS THERE IS A THREAT TO HIMSELF, TO ANOTHER PERSON
12 OR A FLEEING FELON, AND NORMALLY THAT'S A FELONY OF A VERY
13 SERIOUS CRIME, OKAY. SO THAT REALLY THAT IS INTERPRETED BY
14 THE LOCAL POLICE DEPARTMENT AS A DIFFERENT THING AND
15 INTERPRETED DIFFERENTLY BY POLICEMEN.

16 I GIVE YOU THE CASE OF A WOMAN WHO HAS A
17 CHILD WITH NO FATHER, OR NO HUSBAND OR NO SON BECAUSE A
18 POLICE OFFICER HELD A COCKED GUN IN HIS BACK. THE MAN WASN'T
19 RESISTING, HE WAS DOING HIS JOB, BUT THE POLICE OFFICER WAS
20 SEARCHING. NOW THE POLICE OFFICER MAY HAVE MADE A MISTAKE
21 ABOUT SEARCHING, ALL RIGHT. YOU MAKE MISTAKES, WE ALL DO; I
22 DON'T THINK AN AMERICAN SHOULD BE CONDEMNED FOR THAT. BUT
23 THERE IS NO REASON FOR TAKING OUT A REVOLVER AND HOLDING IT
24 IN THIS MAN'S BACK AND CERTAINLY NOT COCKED.

25 Q. YOU ARE STATING WHAT WE HAVE NOW?

1 A. THAT'S RIGHT, THE LAW THAT I CITE TO YOU IS
2 CASE LAW AND THAT'S WHY IT DOESN'T HAVE THE EFFECT I SHOULD
3 HAVE. IF WE HAD A STATUTE WHICH WOULD PROSCRIBE PENALTIES,
4 THEN I THINK IT WOULD MAKE A DIFFERENCE.

5 CHAIRMAN RHODES:

6 Q. MR. BOWSER, WHILE WE ARE TRYING TO PASS
7 THIS LEGISLATION, IF WE DO WHAT YOU SUGGESTED TO US, THAT
8 WOULD TAKE TIME, AS YOU KNOW.

9 A. YES.

10 Q. IT PROBABLY CAN'T BE PASSED THIS YEAR.

11 A. YES.

12 Q. WHAT WOULD YOU SUGGEST IN THE MEANTIME?

13 A. I REALLY DON'T THINK ANYTHING CAN BE DONE
14 LEGISLATIVELY.

15 Q. I AM NOT SUGGESTING LEGISLATIVELY. WHAT CAN
16 THE COMMONWEALTH OF PENNSYLVANIA DO IN THE INTERIM BETWEEN
17 THE PASSAGE OF LEGISLATION AND THE SITUATION AS IT EXISTS
18 NOW?

19 A. I THINK THE COMMONWEALTH OF PENNSYLVANIA
20 COULD, THROUGH L.E.A.A. OR THROUGH DIRECT APPROPRIATION, FUND
21 A LOCAL INVESTIGATORY AGENCY, PROVIDE FUNDS TO THE DISTRICT
22 ATTORNEY'S OFFICE TO CONDUCT INDEPENDENT INVESTIGATIONS OF
23 THESE CASES.

24 RIGHT NOW, FOR EXAMPLE, ONE OF THE DISTRICT
25 ATTORNEY'S CHIEF INVESTIGATORS, I DON'T WANT TO MENTION HIS

1 NAME, I DON'T WANT TO GET HIM IN ANY MORE TROUBLE, IS A MAN
2 WHO REQUESTED TO GO TO THE DISTRICT ATTORNEY'S OFFICE FROM
3 THE POLICE DEPARTMENT. THEY DIDN'T WANT TO LET HIM GO.
4 SINCE HE WENT ANYWAY, THEY ARE THREATENING TO TAKE AWAY HIS
5 PENSION AND EVERYTHING ELSE, BECAUSE HE WENT WITH THE
6 DISTRICT ATTORNEY'S, WHO THE POLICE DEPARTMENT DOESN'T LIKE.

7 SO IF THE STATE, PARTICULARLY SINCE WE HAVE
8 A DISTRICT ATTORNEY NOT AFRAID TO INDEPENDENTLY AND
9 AGGRESSIVELY INVESTIGATE THESE COMPLAINTS, IF THE STATE WOULD
10 PROVIDE THESE FUNDS, TO INVESTIGATE THOSE COMPLAINTS, THAT
11 COULD HAPPEN RIGHT NOW.

12 CHAIRMAN RHODES: REPRESENTATIVE WHITE.

13 REPRESENTATIVE WHITE:

14 Q. WE HAD TESTIMONY FROM REPRESENTATIVES OF THE
15 DISTRICT ATTORNEY'S OFFICE WHO POINTED OUT TO US THEY ARE
16 HAVING DIFFICULTY GETTING POLICE RECORDS TO CONDUCT
17 INVESTIGATIONS.

18 A. THAT'S TRUE.

19 CHAIRMAN RHODES: IT WILL TAKE US TIME --

20 A. ONE OF THEIR MAIN PROBLEMS, THEY HAVE AT
21 THEIR DISPOSAL LEGAL TOOLS, BUT THEY DON'T HAVE THE MANPOWER
22 TO GET AN INJUNCTION TO FORCE THEM TO TURN OVER THE RECORDS.
23 THAT'S WHY I SAID IF THEY HAD THE FUNDING FOR THE ADDITIONAL
24 MANPOWER, FOR THE ADDITIONAL INVESTIGATION, THEY COULD,
25 THROUGH THE COURTS, GET THE RECORDS FASTER AND COULD CONDUCT

1 THE INDEPENDENT INVESTIGATIONS.

2 CHAIRMAN RHODES: REPRESENTATIVE SCIRICA HAS A
3 QUESTION.

4 REPRESENTATIVE SCIRICA:

5 Q. MR. BOWSER, YOU INDICATED THERE ARE CERTAIN
6 LEGISLATIVE REMEDIES THAT CITY COUNCIL SHOULD CONSIDER AS
7 WELL, BUT I TAKE IT FROM YOUR STATEMENT THAT THE MAIN PROBLEM
8 IS ADMINISTRATIVE. YOU INDICATED THAT THE MAYOR OR ANY
9 MAYOR, GO A LONG WAY TOWARDS REMEDYING THIS PROBLEM SIMPLY BY
10 TAKING CERTAIN ACTIONS.

11 DO YOU HAVE ANYTHING IN MIND WHEN YOU SAY
12 THAT?

13 A. YES. AS I SAID BEFORE, THE MAYOR BY
14 ESTABLISHING A POLICY, FOR EXAMPLE, OF TAKING DISCIPLINARY
15 ACTION AGAINST POLICE OFFICERS WHO ARE NOT ONLY CONVICTED OF
16 A CRIME BUT POLICE OFFICERS WHO ARE RESPONSIBLE FOR VERDICTS
17 AGAINST THE CITY.

18 THERE ARE POLICE OFFICERS RESPONSIBLE FOR
19 THIS CITY HAVING TO PAY OVER A HALF MILLION DOLLARS IN THE
20 SHENANDOAH CASE WHERE THIS AMERICAN INDIAN WAS KICKED TO
21 DEATH, AND NOTHING HAPPENED TO THEM. IF YOU WORK FOR A
22 PRIVATE EMPLOYER AND CAUSE A HALF MILLION DOLLAR LOSS TO THE
23 COMPANY, SOMETHING WOULD HAPPEN TO YOU, YOU WOULD GET DEMOTED
24 OR PROBABLY FIRED. NOTHING HAPPENED TO HIM.

25 THE GAGLIARDI CASE, OVER A HUNDRED THOUSAND

1 DOLLARS; NOTHING HAPPENED TO THE POLICE OFFICER.

2 AND I THINK IF THERE WAS DISCIPLINARY ACTION
3 TAKEN IN THIS AREA -- NOW I AM NOT SUGGESTING THAT EVERY
4 COMPLAINT SHOULD RESULT IN DISCIPLINE TO POLICE BECAUSE EVERY
5 COMPLAINT IS NOT JUSTIFIED; BUT WHERE THERE IS A FINAL
6 DETERMINATION BY THE COURT AND JURY -- WHICH IS THE ULTIMATE
7 DETERMINATION IN THIS COUNTRY -- THAT THERE HAS BEEN POLICE
8 BRUTALITY, THERE SHOULD BE SOME PUNITIVE ACTION TAKEN
9 AGAINST THE PERSON WHO DID IT.

10 AND THE MAYOR RIGHT NOW HAS THE POWER TO DO
11 IT.

12 CHAIRMAN RHODES: THANK YOU VERY MUCH, MR.
13 BOWSER, FOR COMING FORWARD AND TESTIFYING TONIGHT.

14 (WITNESS EXCUSED.)

15 NOW WE WILL GO TO OUR NEXT WITNESS, MR.
16 CULP.

17 DO YOU HAVE IN YOUR POSSESSION A SUBPOENA TO
18 APPEAR TONIGHT?

19 MR. CULP: YES, I DO.

20 ---

21 LEROY CULP, 2331 N. 10TH STREET,
22 PHILADELPHIA, PA., SWORN.

23 CHAIRMAN RHODES: PLEASE PROCEED, MR. CULP.

24 A. I WAS WALKING ON GERMAN TOWN AVENUE WITH MY
25 TWO SONS. AS WE APPROACHED GERMAN TOWN AND LEHIGH AND I SAW

1 AN INCIDENT, ABOUT 12 OR 13 FELLOWS STARTED WALKING TOWARDS
2 THE OTHER SIDE.

3 CHAIRMAN RHODES: WHEN WAS THIS, MR. CULP?

4 A. AROUND SIX YEARS AGO. AND I WALKED DOWN TO
5 GERMANTOWN AND SOMERSET; AND AS I APPROACHED I SEEN A FELLOW
6 ON THE GROUND HANDCUFFED. BUT IN THE MEANTIME, 12 OR 13
7 FELLOWS WERE INTERFERING WITH THE POLICE MAKING AN ARREST.

8 AND I SAID: 'FELLOWS, DON'T INTERFERE WITH
9 THE POLICE DEPARTMENT. LET THEM MAKE THE ARREST, AND I WILL
10 MAKE THE COMPLAINT FOR YOU.' I KNEW A COUPLE OF THE FELLOWS,
11 THEY PLAYED TENNIS IN HIGH SCHOOL. IN THE MEANTIME THEY
12 BACKED OFF, OKAY, THEY AGREED FOR ME TO GO TO THE POLICE
13 STATION AND MAKE THE COMPLAINT IN THEIR BEHALF.

14 ONE OFFICER, I APPROACHED HIM, HE AGREED
15 THAT HE WOULD DRIVE ME UP TO 25TH POLICE DISTRICT, FRONT AND
16 WESTMORELAND. IN THE MEANTIME HE TOLD ME, 'JUST TAKE YOUR
17 TWO CHILDREN HOME FIRST, THEN I WILL DRIVE YOU UP TO MAKE THE
18 COMPLAINT.' SO I GOT IN THE CAR, LET HIM DRIVE ME HOME,
19 DROVE UP TO THE POLICE STATION AND HE LET ME OUT AND HE
20 PROCEEDED ON.

21 I WALKED INTO THE POLICE STATION, I TOLD THE
22 SERGEANT I WOULD LIKE TO SPEAK TO THE LIEUTENANT OR WHOEVER
23 WAS IN CHARGE TO MAKE THE COMPLAINT IN BEHALF OF THE FELLOWS
24 AT EDISON HIGH SCHOOL.

25 IN THE MEANTIME SOME OFFICERS CAME IN AND

1 SAID, "YOU'RE UNDER ARREST." I SAID "ARREST OF WHAT?" "I'M
2 PLACING YOU UNDER ARREST." I SAID, "I JUST CAME UP HERE TO
3 MAKE A COMPLAINT IN BEHALF OF THE EDISON HIGH SCHOOL FELLOWS
4 BECAUSE I DIDN'T WANT TO SEE NO RIOT STARTED."

5 THE NEXT THING I KNEW I WAS HANDCUFFED,
6 TAKEN UPSTAIRS TO CHECK, IN THE MEANTIME -- I WENT UPSTAIRS
7 AND CHECKED, THE SERGEANT CAME OUT AND STARTED QUESTIONING
8 ME. HE ASKED ME WHAT HAPPENED, AND I TOLD HIM WHAT I WAS UP
9 THERE FOR.

10 CHAIRMAN RHODES: STILL IN HANDCUFFS?

11 A. NO, THEY HAD TAKEN THE HANDCUFFS OFF ME
12 AFTER I GOT UPSTAIRS.

13 CHAIRMAN RHODES: DID THEY TELL YOU WHAT YOU
14 WERE UNDER ARREST FOR?

15 A. NO, THEY STILL DIDN'T TELL ME WHAT I WAS
16 UNDER ARREST FOR.

17 CHAIRMAN RHODES: THE NATURE OF THE CHARGES?

18 A. THE NATURE OF THE CHARGES AT ALL.

19 CHAIRMAN RHODES: GO AHEAD.

20 A. I EXPLAINED TO THE SERGEANT THAT I WAS
21 WALKING ON GERMAN TOWN AVENUE WITH MY TWO KIDS AND I SAW THIS
22 CROWD, FELLOWS INTERFERING WITH THE POLICE MAKING AN
23 APPREHENSION; AND I EXPLAINED TO THEM THAT I WOULD GO UP
24 THERE AND MAKE A COMPLAINT FOR THEM, AND THEY AGREED.

25 AND HE TOOK MY STATEMENT -- HE READ ME MY

1 RIGHTS AND EVERYTHING, AND HE COULDN'T FIGURE OUT HIMSELF WHY
2 I WAS UP THERE. I STILL HAD TO MAKE THE COMPLAINT. I MADE
3 A PHONE CALL TO MY WIFE AND SHE MADE A COUPLE OF PHONE CALLS
4 FOR ME. AND ABOUT --

5 REPRESENTATIVE WILLIAMS: YOU WERE MAKING THE
6 COMPLAINT TO THE DETECTIVE OR TO SOMEBODY ELSE?

7 A. I GAVE HIM MY STATEMENT OF WHAT HAPPENED.

8 Q. TO THE DETECTIVE?

9 A. THE DETECTIVE UPSTAIRS.

10 Q. YOU THOUGHT THAT WAS THE COMPLAINT THAT YOU
11 WERE FILING AGAINST THE POLICE?

12 A. NO, HE WAS ASKING ME --

13 REPRESENTATIVE WHITE: HE WAS ASKING YOU ABOUT
14 YOUR ARREST, RIGHT?

15 A. MY ARREST.

16 REPRESENTATIVE WHITE: AND YOU WERE TELLING HIM
17 ABOUT WHAT HAD HAPPENED; AND YOU THOUGHT THAT BY DOING THAT
18 YOU WERE ALSO FILING A COMPLAINT AGAINST THE POLICE?

19 A. NO, I WAS FILING IT IN BEHALF OF THE
20 STUDENTS, THAT'S WHY I WAS THERE.

21 CHAIRMAN RHODES: GO AHEAD, MR. CULP. WE
22 UNDERSTAND.

23 A. AND AROUND 3:00 O'CLOCK, THEY HAD TAKEN ME
24 DOWNSTAIRS AND PLACED ME IN A VAN AND TAKEN ME DOWN TO THE
25 ROUNDHOUSE. I STILL HADN'T BEEN CHARGED WITH ANYTHING.

1 ABOUT 7:00 O'CLOCK MY HEARING CAME UP AND --
2 WELL, IT WAS A COUPLE OF CHARGES, AND I WAS RELEASED ON MY
3 OWN RECOGNIZANCE.

4 CHAIRMAN RHODES: WHAT WERE YOU CHARGED WITH,
5 MR. CULP?

6 A. STARTING A RIOT --

7 CHAIRMAN RHODES: INCITING A RIOT?

8 A. INCITING A RIOT, HATING WHITE PEOPLE -- IT
9 WAS ABOUT SIX OR SEVEN CHARGES.

10 CHAIRMAN RHODES: DISORDERLY CONDUCT?

11 A. ACTUALLY I DIDN'T KNOW UNTIL I GOT --

12 REPRESENTATIVE WILLIAMS: YOU SAID INCITING A
13 RIOT AND SOMETHING ABOUT WHITE PEOPLE?

14 A. HATING WHITE PEOPLE.

15 CHAIRMAN RHODES: YOU WERE CHARGED WITH HATING
16 WHITE PEOPLE?

17 REPRESENTATIVE WILLIAMS: THAT WAS WRITTEN DOWN
18 ON A PIECE OF PAPER AS A CHARGE?

19 A. THAT'S WHAT THE POLICE OFFICER SAID AT THE
20 POLICE STATION.

21 REPRESENTATIVE WILLIAMS: ARE YOU SURE?

22 REPRESENTATIVE RICHARDSON: DO YOU HAVE A COPY
23 OF THAT COMPLAINT?

24 A. NO.

25 CHAIRMAN RHODES: THE POLICE OFFICER VERBALLY

1 TOLD YOU THAT?

2 A. IN FRONT OF THE JUDGE.

3 CHAIRMAN RHODES: IN FRONT OF THE JUDGE?

4 A. STARTING A RIOT, HATING WHITE PEOPLE --

5 REPRESENTATIVE WILLIAMS: INCITING A RIOT IS A
6 CRIME, BUT THERE IS NO CRIME ON THE BOOKS CALLED HATING WHITE
7 PEOPLE.

8 A. HE TOLD THE JUDGE THAT.

9 REPRESENTATIVE WILLIAMS: IN ORDER TO INFLUENCE
10 THE JUDGE?

11 A. I DON'T KNOW.

12 CHAIRMAN RHODES: YOU MAY PROCEED, MR. CULP.

13 A. AND BEFORE I LEFT THE POLICE STATION UP
14 THERE AT FRONT AND WESTMORELAND, THE SERGEANT TOLD ME DON'T
15 WORRY ABOUT IT, HE DIDN'T BELIEVE THE STORY OF WHAT TOOK
16 PLACE OF THE INCIDENT, I MEAN WHAT THE POLICE SAID TO THEM,
17 AND AT THE HEARING, JUST BEFORE THE HEARING STARTED I WENT
18 OVER TO THE SERGEANT; HE WAS TALKING TO ME, HE SAID, "DON'T
19 WORRY ABOUT IT, YOU ARE INNOCENT AND EVERYTHING IS ALL
20 RIGHT."

21 BUT AT THE POLICE STATION THE PRINCIPAL CAME
22 UP -- I'M SORRY, I WILL GO BACK TO THE POLICE STATION. THE
23 PRINCIPAL FOR EDISON HE CAME TO THE POLICE STATION, THE
24 STUDENT THAT WAS ARRESTED, HE WAS A LITTLE BANGED UP AND
25 PLACED IN A CELL. THIS WAS TOLD TO ME FROM THE PRINCIPAL,

1 BUT I NEVER DID SEE THE STUDENT HIMSELF. AND AT THE HEARING
2 THEY DROPPED THE CHARGES.

3 BUT THE IDEA IS MAKING A COMPLAINT -- GOING
4 TO THE POLICE STATION AND MAKING A COMPLAINT AND END UP BEING
5 ARRESTED, SPENDING QUITE A FEW HOURS IN THERE AND LOSING TIME
6 FROM WORK.

7 CHAIRMAN RHODES: IS THAT THE END OF YOUR
8 TESTIMONY, MR. CULP?

9 BEFORE YOU GO ON, JUST FOR YOUR INFORMATION,
10 YOU ARE NOT THE FIRST PERSON WHO TESTIFIED TO THE
11 SUBCOMMITTEE THAT THEY WERE ARRESTED TRYING TO MAKE A
12 COMPLAINT.

13 DO YOU HAVE ANOTHER INCIDENT?

14 A. WELL, THIS HERE ON MY BROTHER ABOUT TWO
15 YEARS AGO, IT WAS IN THE PAPER JULY 16, 1978, ON THE MAYOR
16 ABOUT BRUTALITY; AND I WILL ELABORATE ON SOME OF IT BECAUSE
17 THERE'S STILL SOME LITIGATION GOING TO COURT WHERE FRANK
18 RIZZO, KNOWING HE DON'T LIKE TO COOPERATE WITH THE LAWYER,
19 WAS FINED \$350 IN FEDERAL COURT, AND STATED MITCHELL CULP WAS
20 OUT TO GET HIM, BIG GUNS AND ALL THIS, LINE GO TO THE
21 COURTROOM WHERE THE CASE IS, LINE, SET UP WITH THE JUDGES.

22 AND WHAT HAPPENED, I HAD FILED A COMPLAINT
23 DIRECTLY WITH THE MAYOR'S OFFICE AND THE INCIDENT -- THEY HAD
24 CALLED THE HOUSE AND WANTED US TO COME DOWN AND COMPROMISE ON
25 THE BRUTALITY CASE WITH MY BROTHER. WE TOLD THEM NO, WE

1 WOULDNT COME DOWN AND COMPROMISE; OTHERWISE, THEY WOULD DROP
2 THE CHARGES AGAINST HIM IF HE DROPPED THE CHARGES --

3 CHAIRMAN RHODES: AS SUCCINCTLY AS YOU CAN SAY
4 IT, WHAT WERE THE ALLEGATIONS OF BRUTALITY INVOLVING YOUR
5 BROTHER?

6 A. HE HAD BEEN STOPPED AT TENTH AND BROWN FOR
7 GOING THROUGH A STOP SIGN. AND AT THE HEARING THE POLICE
8 ADMITTED THEY DIDNT DO ANYTHING WRONG. THE CASE WAS THROWN
9 OUT OF COURT.

10 CHAIRMAN RHODES: WHAT DID THEY DO AFTER HE
11 WENT THROUGH THE STOP SIGN?

12 A. THEY STOPPED HIM AND ASKED FOR
13 IDENTIFICATION.

14 CHAIRMAN RHODES: THAT'S ALL THEY DID?

15 A. THE POLICE HAD TAKEN HIS IDENTIFICATION --
16 HE HAD IDENTIFICATION AND A STARTER PISTOL IN HIS HAND. THE
17 POLICE TOOK THE IDENTIFICATION AND LEFT THE STARTER PISTOL;
18 WALKED AWAY, CAME BACK AND GAVE HIM HIS IDENTIFICATION.

19 AND THEY HAD TAKEN HIM DOWN TO THE POLICE
20 STATION AND THEY BROKE HIS LEG IN ABOUT SIX OR SEVEN
21 DIFFERENT PLACES.

22 CHAIRMAN RHODES: THEY TOOK HIM TO THE POLICE
23 STATION AND BROKE HIS LEG?

24 A. THEY HAD CALLED A BACK-UP TEAM --

25 REPRESENTATIVE WILLIAMS: IN HOW MANY PLACES?

1 A. I THINK DAVE KNOWS SOMETHING TOO ABOUT IT.
2 THEY CALLED A BACK-UP TEAM AND CALLED A
3 PADDY WAGON TO TAKE HIM DOWN TO THE POLICE STATION.

4 HE WAS BEATEN WITH THE HANDCUFFS BEHIND HIS
5 BACK, AND HIS LEGS WERE BROKEN IN SIX DIFFERENT PLACES.

6 CHAIRMAN RHODES: HIS NAME WAS MITCHELL CULP?

7 A. YES.

8 CHAIRMAN RHODES: WHEN DID THIS INCIDENT OCCUR?

9 A. ABOUT TWO YEARS AGO.

10 CHAIRMAN RHODES: IS THAT IT, MR. CULP?

11 A. OH, AT THE HEARING OF THE WHOLE THING THE
12 POLICE ADMITTED THAT HE DIDN'T DO ANYTHING WRONG IN THE
13 BEGINNING. ALL THE CHARGES AND EVERYTHING WAS DROPPED
14 AGAINST HIM.

15 REPRESENTATIVE RICHARDSON:

16 Q. MR. CULP, LET ME ASK YOU THIS QUESTION:
17 THAT CONCERNS YOUR BROTHER'S CASE?

18 A. MY BROTHER'S CASE.

19 Q. CAN WE ASK THAT YOU LEAVE THAT COPY SO WE
20 CAN MAKE COPIES AVAILABLE TO MAKE IT A PART OF THIS RECORD?
21 BECAUSE WITH THE PROBLEM OF THE ACOUSTICS AND SOUND AND
22 EVERYTHING, WE CAN'T CLEARLY UNDERSTAND WHAT THESE PROBLEMS
23 ARE CONCERNING YOUR BROTHER'S CASE. AFTER HE WAS STOPPED
24 WITH THE STARTER PISTOL, WHAT HAPPENED IS NOT CLEAR.

25 A. THERE ARE SOME IMPORTANT THINGS THAT I CAN'T

1 DISCUSS. I WOULD LIKE TO GIVE IT TO THE COMMITTEE AND POINT
2 OUT SOME THINGS WHICH YOU WOULD HAVE TO LOOK INTO IT. IT'S
3 VERY IMPORTANT, BECAUSE WHEN YOU HAVE A BRUIALIFY CASE,
4 CERTAIN THING GO ON, EVIDENCE GETS LOST; AND I THINK THE
5 COMMITTEE SHOULD KNOW ABOUT THEM.

6 REPRESENTATIVE RICHARDSON: YOU FILED A SUIT
7 FOR YOUR BROTHER?

8 A. YES.

9 CHAIRMAN RHODES: QUESTIONS FROM THE COMMITTEE.
10 BEFORE WE START, I WOULD LIKE TO ACKNOWLEDGE
11 THE PRESENCE OF REPRESENTATIVE MARK COHEN, A MEMBER OF THE
12 SUBCOMMITTEE, TO MY EXTREME LEFT.

13 CHAIRMAN RHODES: REPRESENTATIVE JOHNSON.

14 REPRESENTATIVE JOHNSON:

15 Q. WHAT WAS THE COMPLAINT YOU WERE GOING TO
16 FILE WITH THE POLICE DEPARTMENT WHEN YOU WERE ARRESTED
17 YOURSELF? YOU NEVER TOLD US THAT.

18 A. MY COMPLAINT? I TOLD THE FELLOWS I WOULD GO
19 UP THERE AND MAKE A COMPLAINT, DON'T INTERFERE WITH THE
20 POLICE DEPARTMENT, DON'T INTERFERE WITH THE POLICE MAKING AN
21 ARREST; I WILL MAKE A COMPLAINT.

22 Q. WHAT WAS THE COMPLAINT, POLICE BRUTALITY ON
23 THE YOUNG MAN? WHAT WAS THE COMPLAINT?

24 A. POLICE BRUTALITY BECAUSE THE FELLOW, HE
25 DIDN'T DO ANYTHING WRONG. AFTER I TALKED TO THE FELLOW HE

1 DIDN'T DO ANYTHING WRONG AND THEY ADMITTED IT.

2 EVERYTHING WAS DROPPED, THEY SQUASHED THE
3 CASE, THE STUDENT AT EDISON HIGH SCHOOL. IT NEVER CAME TO
4 TRIAL, IT WAS SQUASHED.

5 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS.

6 Q. WE HAVE HAD TESTIMONY THAT VERY FEW BLACK
7 FAMILIES IN PHILADELPHIA ARE UNTOUCHED BY POLICE VIOLENCE OR
8 POLICE ABUSE; YOUR FAMILY WAS TOUCHED TWICE, AT LEAST.

9 I JUST WANT TO BE CLEAR: DO YOU HAVE THE
10 PAPER THAT GAVE THE CHARGES WHEN YOU WERE ARRESTED?

11 A. NO, I DIDN'T RECEIVE ANYTHING.

12 Q. YOU DIDN'T RECEIVE ANY PAPER?

13 A. THEY DIDN'T GIVE ME ANYTHING.

14 Q. YOU WENT TO 11TH AND WINTER?

15 A. FOR A HEARING, I WENT TO THE HEARING AT 11TH
16 AND WINTER.

17 Q. HOW LONG AGO WAS THAT?

18 A. OH, ABOUT SIX OR SEVEN YEARS AGO.

19 Q. THAT'S WHEN THEY STILL HAD PRELIMINARY
20 HEARINGS AT THE POLICE STATION FOR CERTAIN CRIMES.

21 DID YOU EVER GO TO COURT OR WAS IT --

22 A. NO, IT WAS DISMISSED.

23 Q. IT WAS DISMISSED AT THE MAGISTRATE'S
24 HEARING?

25 A. YES.

1 Q. DID YOU READ THE CHARGE THAT HAD A CHARGE OF
2 HATING WHITE PEOPLE, OR WAS THAT SOMETHING THAT WAS SAID?

3 A. YES, IT WAS SAID.

4 Q. WAS THAT AT THE PRELIMINARY HEARING?

5 A. THAT'S RIGHT, SIR.

6 Q. DO YOU KNOW THE OFFICER'S NAME WHO SAID
7 THAT?

8 A. NO, I DON'T.

9 Q. I WANT TO BE CLEAR. YOU WERE TRYING TO
10 ASSIST THE POLICE AND KEEP THE YOUNG FELLOWS FROM GETTING
11 ARRESTED FOR INTERFERING WITH THE POLICE; IS THAT RIGHT?

12 A. THAT'S RIGHT.

13 Q. AS A RESULT YOU WENT TO THE POLICE STATION
14 AND YOU WERE ARRESTED FOR DOING NOTHING; IS THAT RIGHT?

15 A. THAT'S RIGHT.

16 Q. YOU ARE A PERSON WHO WAS TRYING TO BE
17 COOPERATIVE AND RESPECTFUL TO THE POLICE OFFICER; YOU WERE
18 ALSO A PERSON WHO WAS TRYING TO COOL SOME YOUNG FELLOW DOWN
19 TO DO THE SAME THING?

20 A. YES.

21 Q. YET YOU ENDED UP BEING ARRESTED FOR TRYING
22 TO DO THAT; IS THAT RIGHT?

23 A. YES.

24 Q. DID YOU STRIKE ANY POLICE OFFICER AT ALL?

25 A. NO CONTACT.

1 Q. DID YOU THREATEN TO STRIKE ANY POLICE
2 OFFICER?

3 A. NO, I DIDN'T.

4 Q. AT THE POLICE STATION WAS THERE ANYBODY WHO
5 COULD HEAR WHAT YOU HAD TO SAY BEFORE YOU WERE ARRESTED? IN
6 OTHER WORDS --

7 A. NO, SIR, NO ONE AT ALL.

8 Q. DID ANY POLICE OFFICER SAY TO ANYBODY ELSE
9 THAT YOU DID COMMIT A CRIME AND YOU WERE ARRESTED?

10 A. THE ONLY PERSON WHO SAID ANYTHING WAS THE
11 DETECTIVE SERGEANT UPSTAIRS.

12 REPRESENTATIVE WILLIAMS: THANK YOU. THAT IS
13 ALL.

14 CHAIRMAN RHODES: THANK YOU, REPRESENTATIVE
15 WILLIAMS.

16 REPRESENTATIVE WHITE, DO YOU HAVE ANY
17 QUESTIONS?

18 REPRESENTATIVE WHITE: NO.

19 CHAIRMAN RHODES: REPRESENTATIVE OLIVER.

20 REPRESENTATIVE OLIVER:

21 Q. YOU SAID YOUR BROTHER'S LEG WAS BROKEN IN
22 SIX DIFFERENT PLACES. COULD YOU TELL THIS COMMITTEE WHAT
23 SORT OF METHOD WAS USED TO DO THAT?

24 A. IT WAS A STICK.

25 CHAIRMAN RHODES: A NIGHTSTICK?

1 A. YES.

2 REPRESENTATIVE OLIVER:

3 Q. THAT'S THE ONLY METHOD THAT WAS USED?

4 A. YES, THE ONLY METHOD THAT I KNOW OF.

5 CHAIRMAN RHODES: ALL RIGHT, THANK YOU,

6 REPRESENTATIVE OLIVER.

7 REPRESENTATIVE CIANCIULLI, DO YOU HAVE ANY
8 QUESTIONS?

9 REPRESENTATIVE CIANCIULLI: I HAVE SEVERAL
10 QUESTIONS.

11 REPRESENTATIVE CIANCIULLI:

12 Q. I AM NOT CLEAR. YOU SAID WHEN YOU WALKED UP
13 TO BREAK UP THIS INCIDENT, THE STUDENT WAS HANDCUFFED. WHEN
14 YOU SAW HIM IN HANDCUFFS, WAS HE MARKED UP AT ALL OR HAD HE
15 BEEN BEATEN AT ALL?

16 A. NO, HE WAS LAYING ON THE GROUND.

17 Q. BUT YET, LATER THE PRINCIPAL OF EDISON TOLD
18 YOU HE HAD BEEN BEATEN?

19 A. THIS WAS AT THE POLICE STATION, NOT AT THE
20 SCENE.

21 Q. HE HAD TOLD YOU HE HAD BEEN BEATEN?

22 A. THE INCIDENT UP TO THE POLICE STATION, HE
23 WAS ROUGHED AROUND AT THE POLICE STATION.

24 Q. OH, BUT HE WASN'T ON THE SCENE?

25 A. NO, NOT ON THE SCENE, NOT ON THE SCENE.

1 WHEN I GET THERE HE WAS LAYING ON THE GROUND.

2 Q. AS OF YOUR KNOWLEDGE, WHEN YOU WALKED UP TO
3 THAT INCIDENT, DID YOU SEE POLICE BRUTALITY?

4 A. NO, SIR.

5 REPRESENTATIVE CIANCIULLI: THANK YOU.

6 CHAIRMAN RHODES: IS YOUR BROTHER HERE, MR.
7 CULP?

8 A. NO. HE IS NOT HERE.

9 CHAIRMAN RHODES: THANK YOU, MR. CULP.

10 (WITNESS EXCUSED.)

11 CHAIRMAN RHODES: THE NEXT WITNESS IS MR.
12 PRENTICE CHANDLER.

13 MR. CHANDLER, DO YOU ACKNOWLEDGE THAT YOU
14 HAVE IN YOUR POSSESSION A SUBPOENA TO APPEAR HERE TONIGHT?

15 MR. CHANDLER: YES.

16 ---

17 PRENTICE L. CHANDLER, SWORN.

18 CHAIRMAN RHODES: STATE YOUR NAME AND ADDRESS
19 FOR THE RECORD.

20 A. MY NAME IS PRENTICE L. CHANDLER. I LIVE AT
21 2335 PIERCE STREET, SOUTH PHILADELPHIA.

22 CHAIRMAN RHODES: WHY DON'T YOU PROCEED AND
23 RELATE TO US THE INCIDENT YOU WOULD LIKE TO TELL US ABOUT.

24 A. ON JUNE 27TH, I THINK IS THE EXACT DATE, I
25 CAME HOME FROM WORK --

1 CHAIRMAN RHODES: JUNE 27TH OF THIS YEAR?

2 A. THIS YEAR, 1978. AND I CAME HOME FROM WORK
3 AROUND 5:00 O'CLOCK. AND THE KIDS IN THE BLOCK HAD THE
4 FIREPLUG ON AND THEY WERE CHASING EACH OTHER THROUGH THE
5 BLOCK GOING IN THE WATER. AND TO KEEP FROM GETTING WET
6 MYSELF BECAUSE THEY WERE WETTING SOME OF THE GROWNUPS, I WENT
7 IN THE HOUSE. NOBODY WAS IN THE HOUSE BUT ME, MY WIFE -- THE
8 WHOLE FAMILY WAS OUTSIDE.

9 I WENT IN THE HOUSE, HAD MY DINNER, TOOK MY
10 SHOES OFF, MY SHIRT OFF, AND WAS SITTING THERE WATCHING
11 TELEVISION. WHEN ALL OF A SUDDEN THERE WAS THIS KNOCKING ON
12 MY DOOR. THIS WAS BETWEEN 5:30 AND QUARTER OF 6:00. AND ONE
13 OF THE KIDS WAS FRANTICALLY SCREAMING FOR ME TO GO DOWN TO
14 THE CORNER, THE POLICEMEN WERE DOWN THERE BEATING UP MY TWO
15 BOYS.

16 I STUCK MY FEET IN MY SHOES AND PUT MY SHIRT
17 ON WITHOUT BUTTONING IT, WITHOUT TYING MY SHOES I RAN OUT THE
18 HOUSE AND RAN TO THE CORNER TO SEE WHAT WAS GOING ON.

19 AS I GOT TO THE CORNER I COULD SEE THESE
20 POLICEMAN, SEVERAL OF THEM WITH MY TWO BOYS, ONE BEING 16 AND
21 ONE BEING 19, UP AGAINST THE WALL AND HAD THESE STICKS, WHILE
22 OTHER POLICEMEN WERE HOLDING THEM THEY WERE HITTING THEM WITH
23 THEIR STICKS.

24 I RAN IN THE MIDDLE OF --

25 CHAIRMAN RHODES:

1 Q. HOLD IT, ARE YOU TESTIFYING THAT YOUR TWO
2 SONS WERE BEING HELD BY POLICE OFFICERS UP AGAINST THE WALL?

3 A. AND BEATEN.

4 Q. IS THAT YOUR TESTIMONY?

5 A. THAT IS MY TESTIMONY.

6 Q. THE OFFICERS WERE HOLDING YOUR SONS WITH
7 BOTH HANDS UP AGAINST THE WALL?

8 A. NOT EXACTLY LIKE THAT.

9 Q. EXPLAIN TO US WHAT YOU SAW.

10 A. WHAT I SAW -- THE FIRST ONE THAT I SAW WAS
11 MY OLDEST SON, 19. ONE OFFICER HAD A STICK UNDER HIS NECK,
12 HAD HIS NIGHTSTICK UP UNDER HIS THROAT LIKE THIS.
13 (INDICATING)

14 ANOTHER OFFICER WAS TO HIS RIGHT WITH HIS
15 ARMS AROUND HIM; AND THIS OTHER OFFICER WAS ON HIS LEFT SIDE
16 WITH HIS NIGHTSTICK AND IN THIS MANNER WAS THRUSTING THE
17 NIGHTSTICK INTO HIS STOMACH AND CHEST AREA.

18 Q. HOW FORCIBLY WAS HE DOING THIS?

19 A. WELL IT SEEMED TO ME, IT SEEMS AS HE WAS
20 DOING IT AS HARD AS HE POSSIBLY COULD.

21 Q. HOW BIG A POLICE OFFICER WAS IT?

22 A. THIS PARTICULAR POLICE OFFICER WHO WAS DOING
23 THIS WITH THE NIGHTSTICK WAS JUST A MEDIUM BUILD POLICE
24 OFFICER.

25 Q. BUT HE WAS DOING IT AS HARD AS HE COULD?

1 A. IT SEEMED TO ME THAT HE WAS DOING IT AS HARD
2 AS HE COULD, WITH THE FULL THRUST OF HIS NIGHTSTICK.

3 Q. WAS YOUR SON MAKING ANY OUTCRY?

4 A. WELL, HE HAD HIM BY THE THROAT.

5 Q. WHAT ABOUT YOUR OTHER SON?

6 A. MY OTHER SON THEY HAD HIM UP IN LINE A
7 LITTLE ALLEYWAY -- IT'S NOT AN ALLEYWAY, BUT A DOORWAY. I
8 DIDN'T SEE HIM AT FIRST, I SAW MY OLDEST SON. BUT AS I
9 DARTED TOWARDS THE MIDDLE OF THE STREET TO SEE WHAT WAS GOING
10 ON, I SAW THEY HAD MY YOUNGER SON, 16, UP IN THIS LITTLE
11 DOORWAY.

12 Q. GO AHEAD.

13 A. AND AS I TRIED TO IDENTIFY MYSELF, I RAN IN
14 THE MIDDLE OF THE STREET WHERE THE OFFICERS WERE AND I TRIED
15 TO IDENTIFY MYSELF AS BEING THE FATHER. THIS ONE OFFICER WHO
16 I WILL NEVER FORGET NAMED LYNCH, GRABBED ME AND SHOVED ME --
17 BECAUSE I WAS ALREADY IN A RUNNING MOTION -- HE SHOVED ME
18 AGAINST THE WALL AND SAID, "YOU ARE GOING WITH THEM TOO."

19 I SAID, " I AM THE FATHER, I AM TRYING TO
20 FIND OUT WHAT IS GOING ON." AND THAT'S WHEN A COUPLE OF THE
21 OTHER OFFICERS AND LYNCH, THEY GRABBED ME AND THEY PINNED ME
22 UP AGAINST THE WALL AND THEY STARTED TO HIT ME WITH THE
23 STICKS.

24 Q. WHEN YOU SAY THEY STARTED TO HIT YOU WITH
25 THE STICKS, DID THEY HIT YOU IN THE SAME MANNER AS THEY DID

1 YOUR SONS?

2 A. WELL, TWO OFFICERS GRABBED ME -- LET ME
3 EXPLAIN EXACTLY AS IT HAPPENED: TWO OFFICERS GRABBED ME; AND
4 AS THE OFFICERS GRABBED ME, ONE OFFICER WHICH I DON'T
5 REMEMBER, ALL I REMEMBER IS HIM BEING A TALL THIN OFFICER,
6 TRIED TO COME OVER WITH HIS STICK, BUT I BROKE MY HAND LOOSE
7 AND I GRABBED THE STICK. AND WHEN I GRABBED THE STICK, BY
8 THIS TIME SEVERAL OFFICERS WRESTLED ME AROUND THE SIDE OF THE
9 BUILDING.

10 AND THEN THIS OFFICER CAME BACK AROUND --
11 AND IT WAS ONE BLACK OFFICER AMONG THEM AND HE PUT HIMSELF
12 BETWEEN ME AND THESE OTHER OFFICERS. AND THIS THIN OFFICER
13 WHO TRIED TO HIT ME WITH THE STICK THE FIRST TIME COULDN'T
14 GET OVER TOP TO HIT ME, SO HE HIT ME ON MY LEG. I COULD
15 STAND UP AND SHOW YOU. THEN I WAS STRUGGLING, I HAD ONE LEG
16 LIKE THIS, HE STARTED TO POP ME IN THIS AREA OF MY LEG WITH
17 THAT STICK. (INDICATING)

18 Q. WHAT WOULD HAVE HAPPENED TO YOU IF THAT
19 BLACK OFFICER HAD NOT POSTED HIMSELF BETWEEN YOU AND --

20 A. I COULD ONLY RENDER AN OPINION; BUT MY
21 OPINION IS IF THAT BLACK OFFICER HAD NOT PUT HIMSELF BETWEEN
22 ME AND THOSE TWO PARTICULAR OFFICERS, THAT I WOULD HAVE BEEN
23 IN PRETTY BAD SHAPE.

24 Q. HOW MANY TIMES DID THE OFFICER STRIKE YOU?

25 A. I DIDN'T COUNT THE TIMES, BUT IT WAS

1 CONTINUOUS.

2 Q. DID YOU HAVE ANY IDEA OF WHAT WAS GOING ON
3 AT THAT TIME WITH YOUR SONS?

4 A. NO, BECAUSE AS I SAID THEY WKESTLED ME
5 AROUND THE CORNER. I COULD NOT SEE WHAT WAS HAPPENING TO MY
6 OTHER TWO BOYS.

7 BUT WHEN THEY GOT THE HANDCUFFS ON ME AND
8 THEY HAD TAKEN ME BACK TO THKOW ME IN THE WAGON THEY STILL
9 GOT MY TWO BOYS UP AGAINST THE WALL, AND AT THIS TIME THEY'RE
10 HANDCUFFED.

11 BUT THIS ONE OFFICER LYNCH AND THIS OFFICER
12 -- I CAN'T THINK OF HIS NOW -- MANCINI, OFFICER MANCINI, THEY
13 WERE STILL BEATING ON MY YOUNGEST BOY WHOSE NAME IS JEFFREY.

14 Q. FOR THE RECORD, WHAT WAS THE LOCATION OF
15 THIS INCIDENT?

16 A. WELL, IT WAS AT 23RD STREET AT POINT BREEZE
17 AND PIERCE.

18 Q. DO YOU KNOW THE NAME OF THE BLACK OFFICER
19 WHO INTERPOSED?

20 A. NO, I DON'T.

21 Q. WOULD YOU RECOGNIZE HIM IF YOU SAW HIM
22 TODAY?

23 A. I CERTAINLY WOULD, I WOULD RECONIZE HIM.

24 Q. GO AHEAD WITH YOUR ACCOUNTING.

25 A. MEANWHILE, WHILE ALL THIS MELEE IS GOING ON,

1 THE NAME-CALLING -- I WOULDN'T EVEN REPEAT THE NAMES THAT I
2 WAS CALLED OR THAT I HEARD THEM CALL MY BOYS.

3 Q. WE WOULD LIKE YOU TO REPEAT THOSE NAMES FOR
4 THE RECORD.

5 A. 'BLACK SON OF A BITCH, BLACK MOTHERFUCKER, I
6 WILL BLOW YOUR NIGGER BRAINS OUT. I WILL SCATTER YOUR NIGGER
7 GUTS OUT HERE ON THE STREET.' THIS IS WHAT THEY SAID TO ME.

8 Q. DID OFFICER LYNCH SAY THESE WORDS TO YOU?

9 A. OFFICER LYNCH AND OFFICER MANCINI, AND THIS
10 OTHER THIN OFFICER, I DON'T KNOW HIS NAME.

11 Q. WOULD YOU RECOGNIZE HIM IF YOU SAW HIM
12 AGAIN?

13 A. I THINK I COULD RECOGNIZE HIM; TALL, THIN
14 BLOND OFFICER, BUT I DIDN'T SEE HIM ANYMORE. I SAW THESE
15 OTHER OFFICERS AFTER WE WERE ARRESTED.

16 Q. DO YOU KNOW WHAT DISTRICT OFFICER LYNCH AND
17 OFFICER MANCINI ARE FROM?

18 A. THEY WERE COMING OUT OF THE 17TH DISTRICT.

19 Q. WE HAVE HEARD OF THE 17TH DISTRICT BEFORE.

20 A. YEAH.

21 Q. WHAT HAPPENED NEXT, MR. CHANDLER?

22 A. WELL, THEY HANDCUFFED US -- THEY HANDCUFFED
23 ME AND THEY THREW ME INTO THE WAGON. THEY CONTINUED TO
24 BATTLE MY OTHER TWO SONS.

25 AND FINALLY THEY HAD MY YOUNGEST BOY

1 HANDCUFFED BEHIND HIM AND THEY WERE BRING HIM TOWARDS THE
2 WAGON AND ONE OF THE OFFICERS -- NOW WHICH ONE, I DON'T KNOW
3 WHICH NOW -- HIT HIM ACROSS THE MIDDLE OF HIS BACK WITH HIS
4 STICK AND MADE HIM FALL FLAT ON HIS FACE.

5 Q. COULD YOU TELL US WHAT HAPPENED NEXT, MR.
6 CHANDLER?

7 A. THEN THEY PICKED HIM UP AND THREW HIM IN THE
8 WAGON. AFTER HE FALLS, THEY PICK HIM UP AND THROW HIM INTO
9 THE WAGON.

10 Q. WAS HE UNCONSCIOUS?

11 A. NO, THEY DID NOT HIT HIM IN THE HEAD, THEY
12 DID NOT HIT HIM IN THE HEAD. THEY HIT HIM IN THE CHEST AREA
13 AND ALSO HIT HIM ACROSS THE BACK.

14 AND THEY HAD TO TAKE HIM TO THE HOSPITAL
15 LATER ON THAT NIGHT BECAUSE HE COMPLAINED OF NECK PAINS.

16 Q. WHAT HAPPENED NEXT, MR. CHANDLER?

17 A. WELL, THEY TOOK US DOWN AND ARRESTED US.
18 THEY PUT US IN THIS LITTLE ROOM, I DON'T KNOW WHAT TYPE OF
19 ROOM IT IS; BUT THESE TWO OFFICERS STILL WANTED TO GET -- MY
20 YOUNGEST SON HE WAS SWOLLEN AND MAD. AND THEY ASKED HIM
21 QUESTIONS; IF HE DIDN'T ANSWER THEM FAST ENOUGH, THEY STILL
22 WANTED TO BEAT HIM. AND I HAD TO TELL HIM TO, "ANSWER HIM
23 QUICKLY AND DON'T STICK YOUR MOUTH OUT BECAUSE THEY ARE JUST
24 LOOKING FOR AN EXCUSE TO REALLY DO YOU IN." AND I DIDN'T
25 WANT TO SIT THERE AND WATCH THEM DO ANYTHING ELSE BECAUSE I

1 DON'T KNOW WHAT THEY WOULD HAVE DONE.

2 Q. WERE YOU ABLE TO TALK TO YOUR CHILDREN IN
3 THE POLICE STATION?

4 A. YEAH, THEY HAD US ALL IN THE SAME ROOM.

5 Q. WERE YOU ALL HANDCUFFED?

6 A. WE WERE ALL HANDCUFFED.

7 Q. DID THEY TAKE THE HANDCUFFS OFF AT THE
8 STATION?

9 A. THEY TOOK THE HANDCUFFS OFF MAYBE 15 OR 20
10 MINUTES LATER. I AM NOT SURE OF THE EXACT TIME, BUT IT WAS
11 AT LEAST 15 OR 20 MINUTES LATER WHEN THEY TOOK THE CUFFS OFF.

12 WHEN THEY TOOK THE CUFFS OFF, THEY MADE ME
13 EMPTY MY POCKETS. THE ONE POLICEMAN TOLD ME TO EMPTY MY
14 POCKETS, AND EVEN MY BILLFOLD. HE TOOK MY BILLFOLD AWAY FROM
15 ME, TOOK EVERYTHING OUT OF IT, INCLUDING PICTURES AND
16 EVERYTHING DUMPED IT ON THE TABLE AND THREW IT BACK TO ME AND
17 TOLD ME TO PUT ALL THE STUFF BACK.

18 Q. CONTINUE WITH YOUR ACCOUNT IN YOUR OWN
19 WORDS.

20 A. AFTER THAT WE STAYED THERE FOR ABOUT -- THAT
21 WAS THE END OF THE PUSHING AND SHOVING, MORE OR LESS. WE
22 STAYED THERE I GUESS ABOUT A HALF HOUR, 45 MINUTES; THEN
23 THEY TOOK US UP TO 24TH AND WOLF DETECTIVE, SOUTH DETECTIVES
24 I THINK IT'S CALLED, AND THAT'S WHERE WE REMAINED UNTIL ABOUT
25 12:30, 1:00 O'CLOCK THAT MORNING AND THEY TOOK US DOWN TO THE

1 ROUNDHOUSE. AND WE STAYED DOWN THERE UNTIL 11:30 OR 12:00
2 O'CLOCK THE FOLLOWING DAY.

3 IN THE MEANTIME THEY CHARGED ME WITH
4 RESISTING ARREST, ASSAULT UPON AN OFFICER -- THEY HAD FIVE
5 CHARGES AGAINST ME, BUT WHEN IT BOILED DOWN, WHEN I FINALLY
6 WENT TO THE HEARING IT WAS ONE, ASSAULT ON AN OFFICER.

7 REPRESENTATIVE WHITE: WHAT WERE YOUR SONS
8 CHARGED WITH?

9 A. ALL CHARGED WITH THE SAME THING.

10 CHAIRMAN RHODES:

11 Q. DISORDERLY CONDUCT?

12 A. I DON'T THINK DISORDERLY CONDUCT WAS ONE OF
13 THEM. RESISTING ARREST, CONSPIRACY, --

14 Q. ASSAULT AND BATTERY?

15 A. ASSAULT UPON AN OFFICER.

16 Q. RIGHT, AND YOU WERE ALL CHARGED WITH THE
17 SAME THING?

18 A. YES.

19 Q. AND YOU WERE RELEASED?

20 A. YEAH, THE JUDGE THREW IT ALL OUT.

21 Q. NO, NO; AFTER YOU WERE CHARGED, YOU WERE
22 RELEASED FROM THE ROUNDHOUSE?

23 A. NO, NO. THEY CHARGED US --

24 Q. HOW LONG DID YOU STAY IN THE ROUNDHOUSE?

25 A. FROM ABOUT 12:30 THAT NIGHT OR THAT MORNING

1 RATHER, 12:30 A.M. UNTIL ABOUT 12:00 O'CLOCK A.M. THE NEXT
2 DAY, FROM 12:00 O'CLOCK MIDNIGHT, SOMEWHERE AROUND THAT,
3 UNTIL 12:00 O'CLOCK THE NEXT DAY.

4 Q. AND THEN BAIL WAS SET?

5 A. WELL, BAIL OR O.R., WHATEVER YOU CALL IT.

6 Q. YOU WERE RELEASED IN YOUR OWN RECOGNIZANCE?

7 A. YES.

8 Q. THEN YOU HAD AN ARRAIGNMENT?

9 A. YEAH, I WAS SUPPOSED TO HAVE AN ARRAIGNMENT
10 ON THE 27TH; BUT IN THE MEANTIME I GOT A LETTER FROM THE
11 DISTRICT ATTORNEY'S OFFICE ASKING ME TO COME TO A COURT
12 HEARING OR I GUESS IT'S WHAT YOU CALL O.R., ON THE 19TH. AND
13 IF I CHOSE TO COME ON THE 19TH, A DEAL COULD BE MADE WHERE
14 THEY WOULD DROP ALL THE CHARGES AND MY RECORD WOULD BE
15 EXPUNGED, ALL THIS WOULD BE WIPED FROM MY RECORDS IF THE
16 AGREEMENT WAS SATISFACTORY.

17 Q. DID YOU GO TO THAT AGREEMENT?

18 A. ON THE ADVICE OF MY LAWYER I WENT.

19 Q. DID YOU AGREE TO THE AGREEMENT?

20 A. ON THE ADVICE OF MY LAWYER, I DID.

21 Q. WHAT WERE THE CONDITIONS OF THE AGREEMENT?

22 A. THAT I WOULD BE ON 30-DAY PROBATION. THAT
23 WAS ON THE 19TH OF JULY; ON THE 19TH OF AUGUST ALL THIS STUFF
24 WOULD BE WIPED OFF MY RECORD.

25 REPRESENTATIVE RICHARDSON: WHO WAS YOUR

1 LAWYER?

2 A. MY LAWYER WAS LIEBERMAN OF ROSENBERG, --
3 CHAIRMAN RHODES:

4 Q. SO YOU AGREED TO THIS AGREEMENT?

5 A. UM-HUM.

6 Q. WAS ANY PART OF THIS AGREEMENT THAT YOU
7 WOULD NOT BRING ANY CHARGES OR SUITS AGAINST THE CITY?

8 A. WELL, THIS CAME ABOUT AT MY SON'S HEARING.
9 THIS WAS NOT ASKING ME AT ALL AT THE THING I WAS IN. THIS
10 HAPPENED WHEN MY 16-YEAR-OLD WENT TO THE HEARING LAST --
11 MONDAY BEFORE LAST, AND THE SPOKEMAN HERE FOR THE POLICEMEN,
12 I GUESS IT WAS A LAWYER, I DON'T KNOW. ANYHOW SHE WAS THERE
13 REPRESENTING THE POLICEMEN.

14 AND WHEN THE JUDGE DROPPED THE CHARGES AND
15 RELEASED MY SON IN I AND MY WIFE'S RECOGNIZANCE, THEY WANTED
16 US TO MAKE A STATEMENT THAT WE WOULD NOT BRING CHARGES
17 AGAINST THE POLICEMEN.

18 REPRESENTATIVE RICHARDSON: DID YOU DO THAT?

19 A. NO, I DID NOT. NO, I DID NOT MAKE A
20 STATEMENT; AND THE LAWYER DID NOT MAKE A STATEMENT.

21 THE JUDGE ASKED ME WOULD I BRING CHARGES
22 AGAINST THE POLICEMEN; I TOLD HIM I HADN'T THOUGHT ABOUT IT,
23 AND AT THAT TIME I HADN'T.

24 REPRESENTATIVE WHITE: THE JUDGE ASKED YOU --

25 A. HE SAID HE COULD NOT DISPOSE OF THE CASE IF

1 CHARGES WERE STILL PENDING.

2 CHAIRMAN RHODES:

3 Q. WHAT WAS THE NAME OF THE JUDGE?

4 A. JUDGE O'NEILL IS ALL I KNOW.

5 Q. SO CHARGES WERE CONTINUED AGAINST YOUR SON?

6 A. NO. HE WAS PUT ON PROBATION. HE IS IN OUR
7 CUSTODY AND HE IS ON A PROBATIONARY PERIOD. HE'S GOT A
8 PROBATION OFFICER.

9 Q. LET ME ASK YOU THIS QUESTION, MR. CHANDLER:
10 DID YOU EVER FIND OUT HOW THE POLICEMEN GOT TO THE SCENE OF
11 THE FIREPLUG?

12 A. YES. I DIDN'T TESTIFY TO THAT FROM THE
13 BEGINNING BECAUSE THIS PART I DID NOT SEE. I ONLY TESTIFIED
14 TO WHAT I -- THIS IS WHAT I HEARD, FROM MY SON'S ACCOUNT AND
15 FROM ALL EYEWITNESS ACCOUNTS.

16 THE POLICEMAN CAME UP AND SHUT THE WATER
17 PLUG OFF, THIS OFFICER LYNCH. A BUNCH OF KIDS, 35 OR 40
18 KIDS, ALL THE KIDS IN THE NEIGHBORHOOD WERE AROUND THE PLUG.
19 AND THEY TELL ME SOME LITTLE FIVE OR SIX-YEAR-OLD GIRL HAD A
20 LITTLE PLASTIC CUP THROWING WATER, AND SHE THREW THE WATER ON
21 THE OFFICER FROM WHAT I HEARD. THIS ANGERED HIM.

22 HE TURNED AROUND, HE THREW THE WRENCH. NOW
23 WHETHER HE THREW IT TO HIT HER, I COULDN'T BELIEVE THIS. BUT
24 ANYWAY WHEN HE THREW THE WRENCH, ONE OF THE OLDER BUYS SAID,
25 'YOU KNOW YOU ARE A JERK TO THROW THAT WRENCH AT THAT LITTLE

1 KID." AND SUPPOSEDLY HE PUT HIS HAND ON HIS WEAPON AND
2 CHASED THIS 15-YEAR-OLD BOY UP THE ALLEY.

3 NOW WHEN HE COMES BACK THE CROWD IS BACK
4 INTO THE WATER PLUG AND THEY TURNED THE PLUG BACK ON. HE
5 LEAVES.

6 AND FROM WHAT EYEWITNESSES TELL ME, THAT HE
7 MUST HAVE CALLED ASSIST OFFICER OR SOMEWHERE BECAUSE FIVE TO
8 SIX OTHER POLICE CARS -- WHERE I LIVE, POINT BREEZE AVENUE
9 RUNS ON AN ANGLE AND RIGHT AROUND THE CORNER IS AN A.R.C.O.
10 SERVICE STATION. ALL THESE POLICE CARS WERE GATHERED ON THIS
11 SERVICE STATION'S PROPERTY. AND LYNCH COMES BACK TO THE
12 FIREPLUG, SHUTS IT OFF AGAIN, THAT'S WHEN HE GETS AFTER THESE
13 OLDER BOYS. MEANTIME, HERE COME HIS BUYS AND THEY ALL JOIN
14 IN.

15 THIS IS WHAT I HEAR.

16 Q. AND YOUR SON WAS A PART OF THIS?

17 A. MY OLDEST SON, WHEN HE SEEN THEM COMING BACK
18 HE WAS TRYING TO GET THE SMALLER KIDS -- NOW THE PLUG WAS ON
19 THE OPPOSITE SIDE OF THE STREET. HE TRIED TO GET THE SMALLER
20 KIDS BACK INTO THE STREET BECAUSE HE SAID HE WAS AFRAID OF
21 OFFICER LYNCH BECAUSE HE THINK HE'S CRAZY, BECAUSE HE DREW
22 HIS GUN TO CHASE SOME BOY WHO SAID SOMETHING TO HIM, YOU
23 KNOW, OR LIKE HE WAS GOING TO DRAW HIS GUN.

24 SO HE WAS AFRAID, SO HE GOT THE LITTLE KIDS
25 -- ONE OF THEM MY DAUGHTER, 11 YEARS OLD, HE WAS TRYING TO \

1 GET THEM BACK INTO THE STREET. THIS IS WHEN OFFICER LYNCH
2 PULLED HIS STICK AND TOLD HIM HE WASN'T MOVING FAST ENOUGH.
3 THIS IS HOW THE WHOLE THING BEGAN, FROM WHAT
4 I UNDERSTAND.

5 Q. DID YOU KNOW OFFICER LYNCH BEFORE THAT DAY?

6 A. NO.

7 Q. HOW ABOUT OFFICER MANCINI?

8 A. NO, SIR, I DID NOT.

9 Q. YOU DID NOT RECOGNIZE ANY OF THOSE OFFICERS?

10 A. I HAD NEVER SEEN THEM BEFORE.

11 Q. YOU HAD NEVER ANY PERSONAL CONTACT WITH THEM
12 BEFORE THAT DAY?

13 A. NO.

14 Q. TO YOUR KNOWLEDGE, HAD YOUR SON EVER HAD ANY
15 PERSONAL CONTACT WITH THEM BEFORE?

16 A. NO, THEY HAD NOT. MY OLDEST SON, IF I COULD
17 MAKE A STATEMENT, I TOLD ONE OFFICER DOWN AT THE STATION, I
18 AM 43 -- I WILL BE 43 THIS MONTH. I HAVE NEVER BEEN ARRESTED
19 BEFORE, I HAD NEVER HAD ANY ENCOUNTERS WITH POLICEMEN AND
20 NEITHER HAD ANY ONE OF MY SONS -- THE YOUNGEST ONE GOT PICKED
21 UP ONE TIME WHEN HE WAS 13 YEARS OLD ON A MISTAKEN IDENTITY
22 THING. THAT WAS THE ONLY ONE WHO HAD EVER HAD AN ENCOUNTER
23 WITH THE POLICE FROM MY ENTIRE FAMILY.

24 I AM FROM THE OLD SCHOOL, I AM STRICT WITH
25 MY KIDS. THEY OBEY THE LAWS AND THE LAWS OF THE CITY OR

1 WHEREVER THEY LIVE. THEY ARE IN THE HOUSE AT A CERTAIN TIME
2 OF NIGHT, I KNOW WHERE THEY ARE 90 PERCENT OF THE TIME,
3 THAT'S THE WAY I HAVE HAD IT. I TOLD THE OFFICER THAT.

4 AND I HAVE LIVED PRACTICALLY ALL MY ADULT
5 LIFE IN THIS CITY, AND I HAVE NEVER HAD ANY ENCOUNTER WITH
6 THE LAW. HERE THEY ACCUSE ME OF ASSAULT.

7 I RUN DOWN TO THE CORNER AND I SEE 15 TO 16
8 POLICEMEN WITH NIGHTSTICKS AND WEAPONS AND I GO DOWN THERE
9 WITH NOTHING, AND INSULT THE OFFICER? I AM NOT CRAZY.

10 CHAIRMAN RHODES: THANK YOU VERY MUCH, MR.
11 CHANDLER.

12 ARE THERE QUESTIONS OF THE COMMITTEE?
13 REPRESENTATIVE CIANCIULLI.

14 REPRESENTATIVE CIANCIULLI:

15 Q. DID YOU FILE A SUIT?

16 A. NO, I HAVE NOT, SIR, BECAUSE -- I WILL TELL
17 YOU, I HAVE BEEN GIVEN THE ADVICE TO DO SO BUT I THINK IT'S
18 JUST LIKE SPITTING IN THE WIND, SO I DON'T WANT TO --

19 IT COST ME A SMALL FORTUNE ALREADY. I LOST
20 TIME FROM WORK, I HAD TO GET MONEY FOR A LAWYER, AND I DON'T
21 WANT TO LOSE ANY MORE TIME TO FILE A SUIT IN CASE I CANNOT
22 WIN.

23 CHAIRMAN RHODES: REPRESENTATIVE OLIVER.

24 REPRESENTATIVE OLIVER:

25 Q. MR. CHANDLER, DID YOU HAVE ANY WITNESSES TO

1 TESTIFY IN YOUR BEHALF?

2 A. I HAD A PETITION SIGNED AND I DON'T WANT TO
3 -- I DON'T KNOW EXACTLY HOW MANY NAMES WERE ON THAT PETITION
4 WHO WANTED TO BE WITNESSES, IT WAS WELL OVER 50; BUT NOBODY
5 ASKED FOR ANY WITNESSES TO BE CALLED, THE JUDGE OR NOBODY
6 ELSE, SO I NEVER HAD OCCASION TO USE THEM.

7 BUT I HAD WELL OVER 50 WITNESSES WITHOUT
8 EXAGGERATING, IT MIGHT HAVE BEEN WELL OVER A HUNDRED, BUT I
9 WILL SAY 50 EYEWITNESSES TO THE INCIDENT WHO WERE WILLING TO
10 COME TO COURT AND BE A WITNESS FOR ME FOR THE WHOLE
11 INCIDENT.

12 Q. IT'S TOO BAD, REALLY, THAT YOUR ATTORNEY
13 DIDN'T PURSUE THAT.

14 A. HE TOLD ME, HE SAID THE CASE IS RISKY TO TRY
15 NO MATTER HOW GOOD IT LOOKS. PEOPLE HAVE A TENDENCY TO
16 BELIEVE POLICEMEN, SO DO JUDGES. HE SAID, 'IF YOU GOT A WAY
17 OUT, TAKE THE WAY OUT BECAUSE THERE IS NO GUARANTEE THAT YOU
18 CAN WIN IT WHEN YOU GO TO TRIAL.'

19 SO HE IS THE ATTORNEY, HE KNOWS THE LAW; I
20 TOOK HIS ADVICE.

21 CHAIRMAN RHODES: THAT'S WHY YOU HIRED HIM.

22 REPRESENTATIVE SCIRICA, ANY QUESTIONS?

23 REPRESENTATIVE SCIRICA: NO.

24 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

25 REPRESENTATIVE RICHARDSON:

1 Q. MR. CHANDLER, THANK YOU VERY MUCH FOR YOUR
2 TESTIMONY.

3 COULD YOU TELL US IN YOUR OWN WORDS WHAT
4 WOULD YOUR OPINION BE OF THIS POLICE DEPARTMENT IN THE CITY
5 OF PHILADELPHIA IN MATTERS THAT ARE RELATED TO THE KINDS OF
6 ABUSE THAT WE JUST HEARD?

7 A. WELL, I'LL TELL YOU SIR, I HAVE READ IN THE
8 PAPERS EVERYDAY, JUST ABOUT EVERYDAY ABOUT POLICE BRUTALITY
9 BUT I HAVE NEVER -- I HAVE SEEN SOME POLICE ROUGHNESS, I HAVE
10 SEEN THEM GO A LITTLE BEYOND WHAT THEY SHOULD HAVE DONE, YOU
11 KNOW; BUT I HAVE NEVER SEEN, I HAVE NEVER WITNESSED AN ACT
12 LIKE THIS BEFORE.

13 NOW AS I SAY, I ALWAYS FELT THAT THE POLICE
14 WAS A NECESSARY PART OF OUR LIVES BECAUSE WHEN YOU LIVE IN
15 POOR NEIGHBORHOODS AND I MIGHT AS WELL SAY IT, THE SO-CALLED
16 GHETTO NEIGHBORHOODS, YOU HAVE ALL KINDS OF THINGS GOING ON
17 AND SOMETIMES THE ONLY HOPE -- I HAVE BEEN GLAD TO SEE A
18 POLICE CAR, I WILL PUT IT THIS WAY. I HAVE WALKED IN CERTAIN
19 AREAS, AND WHEN I SEEN A POLICE CAR, IT MADE ME FEEL GOOD.
20 BUT NOT ANYMORE.

21 BUT I WILL TELL YOU THE TRUTH, FROM WHAT I
22 HAVE SEEN OVER THE LAST COUPLE OF YEARS, I HAVE GROWN TO FEAR
23 THE POLICE. I WOULD HATE TO BE STOPPED BY A POLICEMAN AND BE
24 BY MYSELF. I WOULD HATE TO BE STOPPED BY TWO POLICEMEN AND
25 BE BY MYSELF. I'D LIKE TO HAVE SOMEBODY WITH ME.

1 Q. IN OTHER WORDS, YOUR REACTION AT THIS POINT
2 IN TIME HERE IN THE CITY OF PHILADELPHIA, IS DIFFERENT FROM
3 THE TIME PRIOR TO THIS INCIDENT THAT OCCURRED TO YOU AND YOUR
4 FAMILY?

5 A. VERY DEFINITELY.

6 Q. COULD YOU EXPOUND ON WHY, WHEN YOU HAVE AN
7 OPPORTUNITY TO FILE A COMPLAINT, A FEDERAL COMPLAINT OR A
8 CIVIL SUIT, WHY DO YOU NOT WANT TO FILE IT?

9 A. WELL, AS I TOLD THE GENTLEMAN BEFORE, I FELT
10 IT WOULD BE A WASTE OF TIME, EFFORT AND MONEY.

11 NOW THE FIRST THING THAT STUCK IN MY MIND
12 WAS THE CRADLE CASE. IF HE COULD NOT WIN A CASE AGAINST THE
13 PHILADELPHIA POLICE DEPARTMENT FOR WHAT THEY DID TO HIM, WHAT
14 CHANCE DO I HAVE?

15 Q. ARE YOU REFERRING TO THE CASE IN SOCIETY
16 HILL WHERE THERE WERE NINE WHITE WITNESSES WHO TESTIFIED THEY
17 SAW --

18 A. RIGHT, WHITE WITNESSES. IF HE COULDN'T WIN
19 THAT CASE WITH WHITE PEOPLE TESTIFYING ON HIS BEHALF AS TO
20 WHAT THEY SAW, THEN I THINK I GOT A PRETTY POOR CHANCE, AND I
21 WOULD NOT WASTE MY TIME.

22 I TELL YOU, I CAME HERE BEFORE THIS
23 COMMITTEE BECAUSE I WANTED TO GET THIS THING OFF MY CHEST AND
24 WANTED PEOPLE TO KNOW WHAT WAS ACTUALLY GOING ON; AND I
25 WANTED TO SAY WHAT I HAD TO SAY.

1 CHAIRMAN RHODES: WE ARE VERY GLAD YOU CAME.

2 A. BUT I HAVE THIS FEELING, IF I MAY MAKE A
3 STATEMENT: WE AS BLACKS AND THE PUERTO RICAN COMMUNITY ALSO
4 AND THE SPANISH COMMUNITY IN THIS CITY AND MAYBE IN A LOT OF
5 OTHER CITIES, WE ARE POLITICALLY WITHOUT POWER.

6 MAYOR RIZZO KNOWS IT, AND HE KNOWS 90
7 PERCENT OF THE BLACK PEOPLE IN THIS CITY DID NOT VOTE FOR
8 HIM, BUT YET IN STILL HE IS STILL MAYOR, SO HE DON'T NEED US.
9 HE'S GOING TO BE MAYOR ANYWAY. EVERY TIME HE COMES DOWN ON A
10 BLACK HEAD THE WHITE COMMUNITY LINES HIM THE MORE.

11 THIS KIND OF THING IS GOING ON, AND IT SEEMS
12 THERE IS NOTHING WE CAN DO ABOUT IT.

13 Q. THANK YOU VERY MUCH, MR. CHANDLER, CERTAINLY
14 YOUR TESTIMONY YOU HAVE GIVEN IS VERY RESPONSIVE.

15 SITTING WHERE YOU ARE SITTING, RECOGNIZING
16 ALL OF THE PROBLEMS YOU EXPOUNDED ON ABOUT BLACKS AND PUERTO
17 RICANS AND MINORITIES HERE IN THE CITY AND THE PROBLEMS BEING
18 VERY SEVERE AND DIRECT, WHAT WOULD YOU SUGGEST THIS COMMITTEE
19 DO THAT IS HERE TODAY, THE STATE COMMITTEE FROM THE HOUSE OF
20 REPRESENTATIVES, DO TO TRY TO HELP RESOLVE THE POLICE
21 VIOLENCE HERE IN THE CITY OF PHILADELPHIA?

22 A. WELL, FIRST OF ALL, I HAVE TO ADMIT -- NOW
23 YOU ARE LEGISLATORS, RIGHT, YOU WRITE THE LAWS. THEN THEY
24 HAVE TO GO TO SOMEBODY ELSE, TO A COMMITTEE OR SUBCOMMITTEE
25 BEFORE IT BECOMES LAW. BEFORE -- NOW I WAS THINKING ABOUT

1 THIS ALL WEEK WHEN I KNEW I WAS COMING.

2 YOU HEAR THE PROBLEM AND YOU, AS MOST BLACK
3 MEMBERS OF THIS PANEL, I AM SURE HAVE TO KNOW WHAT IS GOING
4 ON AND WHAT I AM TALKING ABOUT. YOU WRITE THESE LAWS.
5 PEOPLE FROM THE CITY OF PHILADELPHIA OR THE COUNTY OF
6 PHILADELPHIA, THEY GOT THEIR BOYS IN HARRISBURG TOO, THEY
7 HAVE THEIR HIGHER BOYS WHO ARE HIGHER THAN THE LEGISLATURE,
8 I WILL SAY.

9 THESE BILLS GET IN THE COMMITTEE AND NEVER
10 COME OUT, IT WOULD TAKE YEARS BEFORE THINGS ARE FINALLY DONE.

11 I APPRECIATE YOU TRYING TO MAKE AN EFFORT,
12 THAT IS THE MAIN THING. FOR SO LONG NOBODY MADE AN EFFORT TO
13 DO ANYTHING ABOUT IT. BUT ONCE YOU HAVE MADE AN EFFORT, THEN
14 MAYBE OTHERS WILL FOLLOW AND SOMETHING WILL BE DONE ABOUT IT.
15 EXACTLY WHAT WILL BE DONE, I DON'T KNOW.

16 I REMEMBER A FEW YEARS BACK BEFORE FRANK
17 RIZZO BECAME MAYOR OF THIS CITY, THEY HAD A CITIZENS REVIEW
18 WHERE YOU COULD TAKE THIS THING TO THE PEOPLE, THEY WOULD
19 REVIEW THE CASE AND YOU WOULD HAVE SOME CONTROL. HE GOT RID
20 OF THAT.

21 NOW THE POLICE DON'T HAVE TO ANSWER TO
22 NOBODY BUT FRANK RIZZO AND COMMISSIONER O'NEILL. AND O'NEILL
23 IS RIZZO'S PUPPET, HE DOES WHAT HE'S TOLD.

24 REPRESENTATIVE RICHARDSON: THANK YOU VERY
25 MUCH, MR. CHANDLER.

1 CHAIRMAN RHODES: REPRESENTATIVE WHITE,

2 REPRESENTATIVE WHITE: HE HAS SAID IT ALL. I
3 WOULD JUST LIKE TO THANK HIM.

4 CHAIRMAN RHODES: REPRESENTATIVE JOHNSON,

5 REPRESENTATIVE JOHNSON: NO, HE HAS SAID IT
6 ALL, THANK YOU.

7 CHAIRMAN RHODES: REPRESENTATIVE COHEN,

8 REPRESENTATIVE COHEN: NO.

9 CHAIRMAN RHODES: MR. CHANDLER, THANK YOU VERY
10 MUCH FOR COMING BEFORE THIS COMMITTEE.

11 (APPLAUSE.)

12 CHAIRMAN RHODES: AGAIN, THIS COMMITTEE WILL NOT
13 TAKE THIS LIGHTLY AND NOT SIT BACK AND IDLY WATCH CITIZENS OF
14 THE COMMONWEALTH BE TREATED THE WAY YOU HAVE BEEN TREATED.

15 THANK YOU AGAIN FOR TESTIFYING BEFORE THIS
16 COMMITTEE, MR. CHANDLER.

17 (APPLAUSE.)

18 (WITNESS EXCUSED.)

19 CHAIRMAN RHODES: AT THIS POINT I WOULD LIKE TO
20 ACKNOWLEDGE THE PRESENCE OF REPRESENTATIVE ALJIA DUMAS, A
21 MEMBER OF THE SUBCOMMITTEE FROM PHILADELPHIA COUNTY.

22 WE WILL TAKE A FIVE-MINUTE BREAK.

23 (BRIEF RECESS.)

24 CHAIRMAN RHODES: THE RECESS IS DECLARED OVER.

25 MS. WALTON, DO YOU HAVE IN YOUR POSSESSION A

1 SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE TONIGHT?

2 MS. WALTON: YES.

3 ---

4 ELLEN WALTON, SWORN.

5 CHAIRMAN RHODES: WE WILL HEAR FROM MS. WALTON.

6 BECAUSE OUR SOUND SYSTEM HAS NOT ARRIVED --

7 A. I DON'T TALK TOO LOUD.

8 CHAIRMAN RHODES: TALK AS LOUD AS YOU CAN.

9 A. LAST YEAR ON SEPTEMBER 17TH OF 1977 MYFATHER
10 -- THERE WAS A DISTURBANCE IN SOUTH PHILADELPHIA.

11 CHAIRMAN RHODES:

12 Q. SEPTEMBER --

13 A. 17, 1977.

14 Q. 17TH?

15 A. YES. IN SOUTH PHILADELPHIA IN THE 1500
16 BLOCK OF SOUTH OPAL STREET THERE WAS A DISTURBANCE IN THE
17 BLOCK CONCERNING MY FATHER AND SOME PEOPLE IN THE BLOCK, 1500
18 BLOCK OF SOUTH OPAL STREET; AND A POLICEMAN WAS CALLED. THE
19 POLICEMAN ARRIVED --

20 Q. WHAT KIND OF DISTURBANCE WITH YOUR FATHER?

21 A. I GUESS IT WAS ROWDINESS IN THE HOUSEHOLD
22 SITUATION, AS FAR AS I KNOW. I AM NOT A WITNESS. I AM
23 TALKING ABOUT WHAT INCIDENT HAPPENED TO MY FATHER.

24 THE POLICEMAN CAME FROM THE 17TH POLICE
25 DISTRICT AT 20TH AND FEDERAL. POLICEMAN ROBERT KOCH ARRIVED

1 IN A POLICE CAR CRUISING BY DOWN THE STREET.

2 Q. HOW DO YOU SPELL HIS LAST NAME?

3 A. K-O-C-H, ROBERT.

4 Q. YOU MAY PROCEED.

5 A. THE WOMAN WHO CALLED THE POLICEMAN REPORTED
6 THAT THE MAN WHO WAS WALKING DOWN THE STREET STAGGERING WAS
7 THE ONE WHO THREATENED HER.

8 AND HE STARTED CRUISING ALONG AND HE STOPPED
9 MY FATHER -- RATHER, HE ASKED HIM, HE DIDN'T STOP. MY
10 FATHER DIDN'T STOP, AND HE KEPT WALKING AND THE OFFICER KEPT
11 CRUISING DOWN THE STREET SLOWLY. HE WAS BY HIMSELF, MY
12 FATHER KEPT GOING. HE ASKED HIM TO STOP AGAIN.

13 SO I THINK THE THIRD TIME WHEN HE ASKED HIM
14 TO STOP AND HE DIDN'T STOP HE KEPT GOING. SO FINALLY HE DID
15 STOP; AND HE ASKED HIM TO COME OVER TO THE CAR.

16 MY FATHER -- FROM WITNESSES -- HE WALKED
17 OVER TO THE CAR AND HE RAISED HIS HAND LIKE THAT, GOING
18 AGAINST THE CAR BECAUSE THE OFFICER CALLED HIM TO THE CAR.

19 THE OFFICER SAID HE HAD A KNIFE IN HIS HAND,
20 THIS WAS IN THE PAPER; AND HE FIRED A SHOT AND KILLED MY
21 FATHER.

22 MY FATHER DIDN'T HAVE A KNIFE IN HIS HAND AT
23 ALL BECAUSE LATER WHEN HE FELL THE KNIFE THAT WAS SUPPOSEDLY
24 IN HIS HAND WAS IN HIS POCKET AND IT FELL WHEN HE FELL.

25 Q. WHAT WAS YOUR FATHER'S NAME?

1 A. JERVY LEWIS, J-E-R-V-Y-.

2 SO HE FELL -- HE STAGGERED, TRIED TO WALK
3 HOME. HE WAS SHOT TWO TIMES. THE OFFICER NEVER GOT OUT OF
4 THE CAR.

5 REPRESENTATIVE WHITE: THE OFFICER FIRED THE
6 SHOT FROM INSIDE THE CAR?

7 A. YES, HE WAS SITTING IN THE CAR AND HE SHOT
8 HIM BECAUSE MY FATHER WALKED TOWARDS THE CAR, WAS STRETCHING
9 HIS HAND LIKE TO SAY, 'WHAT DO YOU WANT?' SO HE FIRED THE
10 SHOT. MY FATHER DIDN'T HAVE A KNIFE IN HIS HAND, BUT THE
11 PAPERS SAY HE HAD A KNIFE COMING TOWARDS THE OFFICER. THE
12 OFFICER WAS SITTING IN THE CAR. THERE WAS NO KNIFE IN MY
13 FATHER'S HAND. THERE WERE WITNESSES WHO SAW THIS. THEY
14 NEVER SAW A KNIFE IN HIS HAND.

15 SO WHEN HE WALKED AWAY FROM THE CAR TRYING
16 TO GO BACK HOME, HE FELL AND STAGGERED AND HE FELL -- AND HE
17 WAS DRUNK.

18 SO THE WITNESSES SAW THE KNIFE ON THE GROUND
19 AND IT WAS CLOSED. THE OFFICER NEVER GOT OUT THAT CAR. AND
20 WHEN HE FINALLY DID GET OUT HE GOT OUT ON THE OTHER SIDE; AND
21 MEANWHILE HE GOT REENFORCEMENTS AND THEY CAME.

22 CHAIRMAN RHODES: DO YOU HAVE A NAME OF ANY
23 WITNESS WHO WAS AN EYEWITNESS TO THIS INCIDENT?

24 A. YES, WE DO.

25 CHAIRMAN RHODES: COULD YOU GIVE ME THE NAMES?

1 A. NO, I PREFER NOT TO GIVE THFM NOW.

2 REPRESENTATIVE WHITE: IN PRIVATE?

3 A. YES, FOR PERSONAL REASONS, PRIVATE.

4 CHAIRMAN RHODES: IS THIS CASE UNDER

5 LITIGATION?

6 A. YES. IT IS IN THE ATTORNEY'S HANDS.

7 CHAIRMAN RHODES: HAVE YOU FILED A CIVIL SUIT?

8 A. YES, A CIVIL SUIT WAS FILED.

9 CHAIRMAN RHODES: WHAT WAS THE OFFICER'S NAME
10 THAT SHOT YOUR FATHER?

11 A. ROBERT KOCH.

12 CHAIRMAN RHODES: THE SAME OFFICER?

13 A. THE SAME OFFICER THAT WAS CRUISING DOWN THE
14 STREET.

15 CHAIRMAN RHODES: WAS HE BY HIMSELF?

16 A. HE WAS BY HIMSELF. NO ONE WAS WITH HIM AT
17 THE TIME HE FIRED THE SHOTS.

18 SO IN THE MEANWHILE THE WITNESSES SAID THAT
19 HE WAS TREMBLING AFTER HE SHOT HIM, HE WAS REALLY SHAKING.

20 SO AFTER HE GOT -- FINALLY THE OTHER
21 OFFICERS CAME TO ASSIST HIM AND THEY LEFT MY FATHER LAYING IN
22 THE STREET; AND FINALLY THEY GOT HIM AND THEY STARTED RUBBING
23 THE BLOOD OFF OF THE CAR.

24 AND WITNESSES TRIED TO GET HIS BADGE NUMBER,
25 THE GUY WHO WAS RUBBING THE BLOOD OFF OF THE CAR; AND HE

1 TURNED THE BADGE TO KEEP THEM FROM CHECKING HIS BADGE AND HIS
2 NAME FROM HIS I.D. TAG.

3 SO FINALLY THE WAGON CAME AND WHEN THEY
4 FINALLY TOOK MY FATHER -- THEY LEFT HIM ON THE GROUND FOR
5 MAYBE 10 OR 15 MINUTES WHILE THEY WERE ASSISTING THE OFFICER
6 WHO SHOT HIM.

7 REPRESENTATIVE WHITE: WHEN YOU SAY "ASSISTING"
8 --

9 A. THE OFFICER WHO SHOT MY FATHER, THE OTHER
10 OFFICER WHO CAME TO HIS RESCUE ASSISTED HIM AND LEFT MY
11 FATHER LAYING DOWN THERE IN THE STREET BEFORE A WAGON FINALLY
12 CAME TO PICK HIM UP.

13 AND WHEN THEY PICKED HIM UP AND PUT HIM IN
14 THE CAR, THE WAGON, THEY THREW HIM IN THE CAR AND THEY DID
15 NOT DO IT GENTLY, A MAN WHO WAS WOUNDED.

16 CHAIRMAN RHODES: WAS HE STILL ALIVE?

17 A. AS FAR AS I KNOW, BUT THE WAY HE WAS SHOT,
18 HE WAS SHOT IN HIS CHEST. HE DIDN'T SHOOT HIM ONE TIME AS WE
19 LATER FOUND OUT, HE SHOT HIM TWICE.

20 CHAIRMAN RHODES: DO YOU KNOW FROM THE MEDICAL
21 EXAMINER WHAT THE TIME OF DEATH THAT WAS ESTABLISHED?

22 A. THEY SAY AFTER 11:00, BUT I DON'T REALLY
23 THINK SO. I THINK MY FATHER DIED ALMOST IMMEDIATELY BECAUSE
24 HE WAS BLEEDING INTERNALLY. AND THE WAY HE SHOT HIM WAS
25 RIGHT THROUGH HIS LUNGS AND IT WAS REALLY, YOU KNOW, SO BAD

1 THAT THEY COULDN'T DO ANYTHING FOR HIM.

2 CHAIRMAN RHODES: DID THEY TRY TO DO ANYTHING
3 FOR HIM?

4 A. SO THEY SAY.

5 LATER THE HOSPITAL CALLED MY MOTHER WITH A
6 \$5,000 HOSPITAL BILL AND SHE SAID, "IF YOU WANT TO CHARGE
7 ANYBODY FOR IT, CHARGE THE CITY OF PHILADELPHIA," BECAUSE SHE
8 IS NOT PAYING THAT BILL.

9 BUT IN THE MEANWHILE GETTING BACK TO WHEN
10 THEY WERE TAKING MY FATHER TO THE HOSPITAL, NEIGHBORS TOLD
11 THE POLICEMEN THAT HIS WIFE LIVES ACROSS THE STREET. THEY
12 DID NOT GO TO HER HOUSE AND RING THE BELL AND SAY, "WOULD YOU
13 COME WITH US TO THE HOSPITAL."

14 AND WHEN MY MOTHER WENT TO THE HOSPITAL SHE
15 HAD TO TAKE SEPTA TO GO TO THE HOSPITAL BECAUSE THE POLICEMEN
16 WOULD NOT TAKE HER IN THE CAR AT ALL.

17 CHAIRMAN RHODES: DID SHE TAKE PUBLIC
18 TRANSPORTATION TO THE HOSPITAL?

19 A. SHE HAD TO WAIT FOR PUBLIC TRANSPORTATION TO
20 GO TO THE HOSPITAL BECAUSE THE POLICEMAN WOULD NOT LET HER IN
21 THE CAR OR THE PADDY WAGON TO GO TO THE HOSPITAL. SHE HAD TO
22 WAIT FOR THE SEPTA ON THE CORNER TO TAKE HER TO GRADUATE
23 HOSPITAL.

24 REPRESENTATIVE RICHARDSON: HOW FAR IS THAT
25 INCIDENT THAT OCCURRED FROM GRADUATE HOSPITAL?

1 A. WELL, IT WAS SAY, BETWEEN 19TH AND 20TH ON
2 TASKER STREET; AND GRADUATE HOSPITAL IS AT, WELL, 19TH AND
3 LOMBARD STREETS. SO IT WAS A DISTANCE.

4 REPRESENTATIVE WHITE: WERE YOU --

5 CHAIRMAN RHODES: WAIT. IS THAT THE END OF
6 YOUR TESTIMONY ON THE INCIDENT?

7 A. WELL, THERE WERE WITNESSES AROUND, YOU KNOW,
8 BUT THEY DIDN'T -- THE POLICE STARTED COMING AROUND CHECKING,
9 LOOKING FOR BULLETS AND ALL OF THAT.

10 BUT ONE THING, THEY NEVER CAME TO OUR HOUSE
11 AT ALL THE WHOLE TIME. THEY NEVER SHOWED UP THERE TO SAY
12 WHAT HAPPENED. THEY NEVER CAME TO THE HOSPITAL AT ALL.

13 CHAIRMAN RHODES: SO YOU WERE NEVER INFORMED BY
14 THE POLICE THAT YOUR FATHER HAD BEEN SHOT?

15 A. NO. HIS NEIGHBORS CAME TO MY MOTHER WHO WAS
16 IN THE YARD, IN THE BACK YARD, AND TOLD HER THERE WAS A
17 SHOOTING, THAT HER HUSBAND WAS SHOT, AND SHE FINALLY CAME
18 OUT. THEY WOULD NOT LET HER INTO THE CAR. SO SHE HAD TO
19 TAKE SEPTA TO GO TO GRADUATE HOSPITAL.

20 CHAIRMAN RHODES: DO YOU KNOW IF THERE WAS A
21 POLICE INVESTIGATION OF THE SHOOTING?

22 A. SO THEY SAY, YES; BUT WE NEVER HEARD
23 ANYTHING ABOUT IT. EVERY TIME WE CALLED UP TO FIND OUT
24 ANYTHING -- I EVEN WENT TO THE D.A.'S OFFICE IN CITY HALL TO
25 FILE A COMPLAINT -- AND ALSO I HAVE BEEN GETTING THE

1 RUN-AROUND. I WENT TO THE 17TH PRECINCT AND THEY GAVE ME THE
2 RUN-AROUND THERE. I SPOKE TO THE CAPTAIN, I FORGET HIS NAME,
3 HE GAVE ME THE RUN-AROUND. HE DIDN'T WANT TO TALK TO ME.

4 AND LATER I FOUND OUT THAT THE OFFICER WAS A
5 ROOKIE AND HE WASN'T EVEN ON THE FORCE FOR A MONTH. AND I
6 COULDN'T UNDERSTAND HOW -- LATER I SAID, "WHY WOULD THEY SEND
7 A ROOKIE OUT THERE WHO WAS ONLY ON THE FORCE FOR A MONTH?"
8 HE DIDN'T HAVE ANYBODY EXPERIENCED WITH HIM.

9 CHAIRMAN RHODES: WAS HE ON PROBATION?

10 A. THAT ROOKIE, I DON'T KNOW BECAUSE HE WASN'T
11 OUT OF THE ACADEMY FOR MAYBE A MONTH. I DON'T THINK HE WAS
12 OUT TWO MONTHS BEFORE THEY PUT HIM ON THE STREET.

13 CHAIRMAN RHODES: IS HE STILL ON THE FORCE?

14 A. AS FAR AS I KNOW, HE IS. HE WAS NOT
15 SUSPENDED OR ANYTHING AFTER THAT INCIDENT HAPPENED.

16 CHAIRMAN RHODES: IS THAT THE EXTENT OF YOUR
17 TESTIMONY?

18 A. YES.

19 CHAIRMAN RHODES: THANK YOU.

20 REPRESENTATIVE COHEN.

21 REPRESENTATIVE COHEN: I HAVE NO QUESTIONS.

22 CHAIRMAN RHODES: REPRESENTATIVE JOHNSON.

23 REPRESENTATIVE JOHNSON: I HAVE NO QUESTIONS.

24 CHAIRMAN RHODES: REPRESENTATIVE WHITE.

25 REPRESENTATIVE WHITE:

1 Q. MRS. WALTON, WHEN YOU WENT TO THE 17TH
2 POLICE DISTRICT WHAT KINDS OF QUESTIONS WERE YOU ASKING OF
3 THE OFFICERS THERE? YOU SAY YOU FIRST TALKED TO THE DESK
4 SERGEANT?

5 A. YES, I ASKED TO SPEAK TO THE COMMANDING
6 OFFICER THERE. AND AFTER I ASKED FOR HIM, THEY ALL LOOKED AT
7 ME WONDERING WHY WAS I WANTING TO SEE SOMEBODY SO HIGH UP IN
8 AUTHORITY.

9 SO FINALLY HE CAME AROUND, YOU KNOW, TO SEE
10 ME.

11 Q. YOU DID GET A CHANCE TO SEE THE COMMANDING
12 OFFICER?

13 A. I DID.

14 Q. GO AHEAD.

15 A. AND FINALLY HE CAME AROUND TO SEEING ME, AND
16 I TOLD HIM I WOULD LIKE TO FILE A COMPLAINT BECAUSE I CALLED
17 DIFFERENT OFFICERS AND THEY TOLD ME THIS IS THE FIRST STEP
18 FOR ME TO DO.

19 SO WHEN I WENT TO SEE HIM, HE ACTED LIKE HE
20 DIDN'T WANT TO BE BOTHERED.

21 SO I TOLD HIM THIS IS MY RIGHT TO DO THIS.

22 Q. WHAT WERE YOU ASKING HIM?

23 A. I ASKED HIM LIKE -- I EXPLAINED TO HIM WHAT
24 HAPPENED AND I WOULD LIKE TO FILE A COMPLAINT.

25 Q. YOU EXPLAINED THAT YOUR FATHER HAD BEEN

1 SHOT?

2 A. I TOLD HIM ALL OF THAT.

3 Q. YOU TOLD HIM YOU WANTED TO FILE A COMPLAINT
4 AGAINST THE OFFICER?

5 A. AGAINST THE OFFICER.

6 Q. WHAT WAS HIS RESPONSE TO THAT?

7 A. HE ACTED LIKE HE DIDN'T WANT TO BE BOTHERED.
8 HE SAID YOU HAVE TO GO TO THIS PLACE. I SAID, 'LOOK, THIS IS
9 WHERE I WAS TOLD TO COME AND THIS IS THE FIRST STEP I AM
10 STARTING.' I SAID. 'I APPRECIATE YOUR COOPERATION, AND AFTER
11 ALL IT IS A MURDER AND HE DID KILL MY FATHER.'

12 Q. WHERE WERE YOU TOLD TO GO?

13 A. I WAS TOLD TO GO TO CITY HALL AND MAKE A
14 COMPLAINT TO THE D.A.'S OFFICE. SO I WENT THERE LATER. I
15 MEAN, I GOT THE RUN-AROUND BETWEEN THE D.A.'S OFFICE AND
16 THERE.

17 Q. YOU WENT TO THE D.A.'S OFFICE?

18 A. YES.

19 Q. WHEN DID YOU GO TO THE D.A.'S OFFICE, HOW
20 SOON AFTER?

21 A. ALL THIS HAPPENED WITHIN A WEEK, I THINK
22 SEPTEMBER 27TH I WENT TO THE D.A.'S OFFICE. THEY GAVE ME THE
23 RUN-AROUND. AS SOON AS I SAID WHO I WAS AND WHAT THE
24 INCIDENT WAS, THEY STARTED HUSH-HUSH AND WHISPERING AROUND
25 EACH OTHER.

1 AND FINALLY SOMEBODY WOULD TALK TO ME AND
2 TOLD ME I WOULD HAVE TO COME BACK LATER AND WRITE A STATEMENT
3 OUT. I DID THAT ABOUT A WEEK LATER AND THEN THEY WROTE IT
4 DOWN; BUT I NEVER HEARD FROM THEM.

5 EVERY TIME I CALLED THAT D.A.'S OFFICE, THEY
6 WOULD GIVE ME THE RUN-AROUND.

7 Q. YOU STILL HAVE NOT HEARD FROM THE DISTRICT
8 ATTORNEY'S OFFICE?

9 A. I CALLED AND THEY SAY, "WE ARE STILL
10 INVESTIGATING," AND THIS HAS HAPPENED SINCE SEPTEMBER.

11 Q. ARE YOU CALLING THE POLICE ABUSE UNIT?

12 A. I HAVE CALLED RENDELL'S OFFICE SINCE HE HAS
13 BEEN THERE. I HAVE CALLED FITZPATRICK'S OFFICE SINCE HE WAS
14 THERE. AND I HAVE SPOKEN TO MS. SYLVESTER; SHE IS NEVER
15 THERE.

16 AND RENDELL'S OFFICE, THEY STARTED -- I
17 SAID, "LOOK, I AM TIRED OF THIS RUNNING AROUND, I WOULD LIKE
18 SOME ANSWERS." I WANTED TO SPEAK TO RENDELL. THEY SAID,
19 "YOU HAVE TO HAVE AN APPOINTMENT." I SAID, "I WOULD LIKE TO
20 HAVE AN APPOINTMENT WITH HIM." I TOLD THEM WHY, AND THEY
21 STARTED CHANGING EVERYTHING AROUND. I FELT IT WAS REALLY
22 LIKE I WAS GETTING THE RUN-AROUND AGAIN.

23 I SAID, "LOOK, I VOTED FOR THIS MAN." I
24 SAID, "YOU WANT ME TO VOTE FOR HIM AND THIS IS WHAT I AM
25 GOING TO GET?"

1 Q. HAVE YOU HIRED PRIVATE COUNSEL TO HANDLE
2 YOUR SUIT?

3 A. MY MOTHER HAS, YES.

4 Q. YOUR MOTHER HAS PRIVATE COUNSEL TO HANDLE
5 YOUR SUIT?

6 A. YES. AND THE CITY IS NOT COOPERATING AT ALL
7 BECAUSE MY MOTHER TRIED TO GET A DEATH CERTIFICATE, THE CAUSE
8 OF DEATH. HER BENEFITS FOR SOCIAL SECURITY AND V.A. WAS
9 HELD UP FOR ABOUT EIGHT MONTHS BECAUSE THEY WOULD NOT
10 COOPERATE BY GIVING HER A DEATH CERTIFICATE, BECAUSE THERE IS
11 A YOUNG MINOR OR CHILD IN THE HOUSEHOLD UNDER 18 YEARS OF
12 AGE.

13 SHE IS THE SOLE SUPPORTER OF THE HOUSEHOLD.

14 Q. WHO IS THE ATTORNEY HANDLING YOUR CASE?

15 A. I WOULD RATHER LEAVE IT PRIVATE. IF YOU
16 WANT TO ASK ME LATER, I WILL GIVE IT. BECAUSE MY MOTHER IS
17 REALLY UPSET. WHEN I TOLD HER ABOUT IT SHE SAID, 'PLEASE
18 DON'T GIVE THEM TOO MUCH.' SHE IS VERY UPSET BEHIND THE
19 WHOLE THING.

20 Q. WHY IS SHE AFRAID TO GIVE US INFORMATION?

21 A. BECAUSE THE POLICEMEN KEEP -- THEY KEEP
22 WALKING AROUND THE NEIGHBORHOOD, POINTING AT THE WITNESSES,
23 LIKE THEY WERE KIND OF BEING HARASSED A LITTLE, I THINK,
24 RIGHT AFTER THIS INCIDENT HAPPENED BECAUSE EVEN SOME OF THEM
25 ARE KIND OF ALMOST SHYING AWAY FROM WANTING TO TESTIFY

1 BECAUSE IT IS LIKE THEY FEEL THAT THEY ARE BEING HARASSED.
2 EVERY TIME YOU LOOK AROUND THEY ARE COMING, KNOCKING ON THE
3 DOOR, WANTING TO TALK TO THEM.

4 REPRESENTATIVE WHITE: NO FURTHER QUESTIONS.

5 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

6 REPRESENTATIVE RICHARDSON:

7 Q. HAVE YOU EVER DETERMINED BY THE CORONER'S
8 REPORT WHAT THE CAUSE OF DEATH WAS EXACTLY?

9 A. WELL, IT WAS A GUNSHOT WOUND OF HIS CHEST.
10 HE WAS SHOT TWICE IN HIS CHEST. THE WAY THEY SAY THE CAUSE
11 OF DEATH WAS A GUNSHOT WOUND.

12 Q. THAT IS ALL THEY SAID?

13 A. AND HEART FAILURE AND ALL THAT OTHER STUFF.

14 Q. ALL RIGHT, EVERYONE DIES OF HEART FAILURE.

15 A. AND I THINK IT WAS SHOCK.

16 Q. DID YOUR MOTHER REQUEST AN AUTOPSY?

17 A. NO. WHEN I WENT -- WHAT HAPPENED WAS, I
18 WENT TO THE HOSPITAL BECAUSE THEY CALLED ME AT MY HOME AND
19 ASKED ME TO GO TO THE HOSPITAL BECAUSE MY FATHER WAS SHOT.

20 Q. WHO CALLED?

21 A. MY SISTER-IN-LAW. I WENT TO THE HOSPITAL
22 AND I ASKED TO SEE MY FATHER. THEY SAID, 'YOU CAN'T SEE HIM
23 BECAUSE HE IS IN THE OPERATING ROOM.' SO I GO UPSTAIRS AND I
24 WAIT IN THE RECUPERATING ROOM. AND THESE POLICEMEN COMES
25 AROUND AND SAID, 'OH, HE IS DEAD.' I SAID, 'WHO IS DEAD,

1 WHO, MY FATHER?" THEY SAID, "NO, NO." AND I LATER FOUND OUT
2 IT WAS HIM BECAUSE IT WAS ABOUT TEN O'CLOCK, AND THEN THE
3 AUTOPSY REPORT SAYS ABOUT 11:30.

4 AND I SAT AND I WAITED. AND AFTER THEY TOLD
5 ME IT WAS ABOUT 11:30, I GUESS, AND THEY TOLD ME THAT HE WAS
6 DEAD. SO I SAID, "OH, MY GOD! CAN I SEE HIM?" THEY SAID,
7 "NO, WE HAVE TO CLEAN HIM UP FIRST." I SAID, "WHAT
8 DIFFERENCE DOES IT MAKE IF HE HAS TO BE CLEANED UP, HE IS
9 DEAD." THEY SAID NO, FOR PERSONAL REASONS, SOME TYPE OF
10 CORONER'S EXAMINATION, THEY HAVE TO MAKE SURE ALL INSTRUMENTS
11 IS THERE.

12 SO FINALLY WHEN I DID --

13 Q. WHO IS "THEY"? WHEN YOU SAY "THEY," WHO IS
14 IT THAT TOLD YOU?

15 A. THE NURSES AND THE DOCTORS IN THE HOSPITAL.
16 I DON'T REMEMBER THEIR NAMES.

17 SO FINALLY WHEN I GO UP TO SEE HIM THEY HAD
18 HIM ALL STRAPPED UP AND TIED UP; BUT I WANTED TO PULL THE
19 SHEET BACK AND SEE JUST WHAT WAS WHAT, BUT THEY WOULD NOT
20 LET ME LOOK AT HIM. THEY HAD HIM ALL TIED DOWN AND STRAPPED
21 UP WITH A SHEET AND ALL, ALL OVER HIM.

22 AND THEY SAID THAT AN AUTOPSY HAS TO BE
23 DONE. I SAID, "NO. YOU SHOULD CALL US AND LET US KNOW ABOUT
24 IT." AND I GAVE THEM MY TELEPHONE NUMBER FOR THEM TO CALL ME
25 BEFORE AN AUTOPSY COULD BE MADE BECAUSE I DIDN'T THINK IT WAS

1 RIGHT WITHOUT OUR PERMISSION.

2 BUT THEY TOLD ME NO, THAT THEY HAVE TO DO IT
3 ANYWAY BECAUSE OF THE CIRCUMSTANCES THAT LED TO HIS DEATH.

4 BUT THEY NEVER CALLED. THEY SAID THEY WOULD
5 CALL TO LET US KNOW THAT THEY WOULD HAVE TO DO THE AUTOPTSY,
6 BUT THEY NEVER CALLED. AND I ASKED MY MOTHER; SHE SAID NO,
7 THEY DIDN'T CALL HER EITHER.

8 Q. NOW WHEN YOU TALK ABOUT THE WITNESSES --
9 THIS IS A VERY IMPORTANT POINT -- WHEN YOU TALK ABOUT THE
10 WITNESSES BEING HARASSED IN THE COMMUNITY --

11 A. THE WITNESSES WHO SAW IT HAPPEN, WHO SAW THE
12 INCIDENT. AND DURING THE TIME THE POLICE KEPT COMING BY AND
13 HARASSING, LINE EVERY DAY THEY KEEP COMING BY THE HOUSE AND
14 ASKING THEM QUESTIONS AND ALL THAT. AND FINALLY THEY SAID,
15 'I DON'T WANT TO TALK TO YOU AT ALL.'

16 Q. IS THERE ANY OTHER INDEPENDENT AGENCY OTHER
17 THAN THE POLICE WHO WERE COMING AROUND THE HOUSE AND ALSO THE
18 PERSONS YOU WANTED TO SEE? DID YOU CONTACT ANY OTHER
19 ORGANIZATIONS LIKE P.I.L.C.O.P. OR A.C.L. OR ANY OF THOSE
20 OTHER ORGANIZATIONS?

21 A. WE CONTACTED THE FEDERAL GOVERNMENT, THE
22 ATTORNEY GENERAL.

23 Q. UNITED STATES ATTORNEY'S OFFICE AT SIXTH
24 STREET?

25 A. WE WENT THERE WITH THE WITNESSES AND THEY

1 SPOKE TO THEM.

2 BUT THE ATTORNEY DOWN THERE SAID RIGHT AS OF
3 NOW THEY CAN'T DO BUT SO MUCH BECAUSE THE CITY HAS EVERYTHING
4 TIED UP.

5 Q. WHAT DO YOU MEAN BY THAT?

6 A. THEY CAN'T GET ANY ANSWERS. LIKE IF THEY
7 WANT ANSWERS TO CERTAIN THINGS, THEIR HANDS ARE TIED UP
8 BECAUSE THE CITY IS NOT COOPERATING WITH THEM AS FAR AS LIKE
9 RELEASING CERTAIN INFORMATION. THEY WANTED A TAPE, LIKE OF
10 THE PAROLE OFFICER -- LIKE A TAPE, THEY MAKE A TAPE EVERY
11 TIME.

12 Q. THE PATROL TRANSMISSION BETWEEN THE POLICE
13 CAR AND ITS HEADQUARTERS?

14 A. SOMETHING HAPPENED TO IT. THEY DON'T KNOW
15 WHAT HAPPENED TO IT. ANYWAY, THEY COULDN'T GET IT.

16 CHAIRMAN RHODES: ANY OTHER QUESTIONS?

17 REPRESENTATIVE RICHARDSON: THANK YOU VERY
18 MUCH, MRS. WALTON. I KNOW IT WAS VERY HARD FOR YOU TO
19 TESTIFY. I WANTED TO MAKE SURE THE RECORD WAS CLEAR, TO
20 BRING OUT CERTAIN POINTS.

21 CHAIRMAN RHODES: REPRESENTATIVE SCIRICA.

22 REPRESENTATIVE SCIRICA: NO QUESTIONS.

23 CHAIRMAN RHODES: REPRESENTATIVE OLIVER.

24 REPRESENTATIVE OLIVER: NO QUESTIONS.

25 CHAIRMAN RHODES: REPRESENTATIVE DUMAS.

1 REPRESENTATIVE DUMAS:

2 Q. YOU MENTIONED, MADAM, WHEN THE OFFICERS CAME
3 IN THE ASSIST CAR, INSTEAD OF TAKING YOUR FATHER TO THE
4 HOSPITAL, THEY WERE ASSISTING THE OFFICER?

5 A. YES.

6 Q. I BELIEVE WHAT YOU MEANT WAS CONSOLING THE
7 OFFICER RATHER THAN ASSIST?

8 A. THEY WERE ASSISTING HIM BECAUSE WHAT THEY
9 DID WAS THEY STARTED WIPING THAT CAR. TO ME THAT WAS
10 ASSISTING HIM WHEN THEY WERE HELPING HIM TO GET HIM AWAY FROM
11 THE SCENE OF THE CRIME BECAUSE JUST BEFORE THAT A COUPLE
12 WEEKS OR SO BEFORE THEY HAD ANOTHER INCIDENT IN SOUTH
13 PHILADELPHIA.

14 Q. I WANTED THE RECORD TO SHOW THE OFFICER WAS
15 NOT IN ANY DANGER.

16 A. NO, HE WAS NOT IN ANY DANGER AT ALL.

17 Q. THEY WERE CONSOLING HIM RATHER THAN
18 ASSISTING YOUR FATHER.

19 CHAIRMAN RHODES: WHO MIGHT HAVE BEEN ALIVE.

20 REPRESENTATIVE DUMAS:

21 Q. WHO COULD HAVE BEEN ALIVE, RATHER THAN
22 DEVOTE THE ATTENTION TO YOUR FATHER WHO WAS IN GRIEF?

23 A. I THOUGHT THEY WOULD HAVE ASSISTED THE
24 INJURED BEFORE THEY WOULD GO TO HIM BECAUSE HE DID THE CRIME,
25 BUT HE WILL BE ALL RIGHT LATER, I WOULD THINK.

1 CHAIRMAN RHODES: IS THAT ALL, REPRESENTATIVE
2 DUMAS?

3 REPRESENTATIVE DUMAS:

4 Q. SHE MENTIONED SHE DID NOT WANT TO MENTION
5 HER ATTORNEYS NAME?

6 A. NO.

7 Q. I WILL GET TO THAT LATER.

8 I WOULD LIKE TO KNOW IF YOU ARE SATISFIED
9 WITH YOUR ATTORNEY'S PROGRESS RELATING TO YOUR FATHER'S
10 DEATH?

11 A. SOMEWHAT. HE WOULD SAY IT WOULD TAKE YEARS
12 BEFORE ANYTHING COULD BE DONE, ESPECIALLY BECAUSE OF THE SUIT
13 AGAINST THE CITY, BECAUSE OF ALL THE CORRUPTION THAT IS GOING
14 ON NOW IN THE PHILADELPHIA POLICE DEPARTMENT, AND THE CITY IS
15 NOT COOPERATING.

16 CHAIRMAN RHODES: DON'T FORGET THIS IS A PUBLIC
17 RECORD.

18 A. THAT'S ALL RIGHT.

19 REPRESENTATIVE DUMAS: THANK YOU.

20 CHAIRMAN RHODES: REPRESENTATIVE CIANCIULLI.

21 REPRESENTATIVE CIANCIULLI:

22 Q. WHAT TIME OF DAY WAS THIS?

23 A. THIS HAPPENED BETWEEN 7:30 AND 8:00 O'CLOCK
24 IN THE EVENING, ON A SATURDAY.

25 CHAIRMAN RHODES: REPRESENTATIVE WHITE HAS JUST

1 A COUPLE OF VERY BRIEF QUESTIONS, TO CLARIFY THE RECORD.

2 REPRESENTATIVE WHITE.

3 REPRESENTATIVE WHITE: SIMPLY FOR THE RECORD

4 NOW, OKAY.

5 REPRESENTATIVE WHITE:

6 Q. HOW LONG HAD YOUR PARENTS LIVED IN THAT
7 COMMUNITY?

8 A. OH, SINCE 1953.

9 Q. WERE THEY WELL-KNOWN BY THE NEIGHBORS IN THE
10 BLOCK?

11 A. OH, YES, THE NEIGHBORS AND ALL KNOW THEM.

12 Q. HAD YOUR FATHER HAD ANY OTHER CONTACT WITH
13 THE POLICE DEPARTMENT PRIOR TO THIS INCIDENT?

14 A. YES. ONE OF THE REASONS WHY I REALLY
15 BELIEVE MY FATHER DID NOT GO TO THAT POLICE --

16 Q. OKAY. HE HAD BEEN ARRESTED -- HE HAD BEEN
17 TO THE 17TH DISTRICT BEFORE?

18 A. YES.

19 Q. WOULD YOU SAY THAT YOUR FATHER WAS KNOWN BY
20 MANY OF THE VETERAN OFFICERS WHO PATROL THAT PARTICULAR AREA?

21 A. I DON'T THINK SO.

22 Q. YOU DON'T THINK SO?

23 A. NO.

24 REPRESENTATIVE WHITE: THANK YOU.

25 REPRESENTATIVE DUMAS: ONE SHORT QUESTION.

1 CHAIRMAN RHODES: REPRESENTATIVE DUMAS, VERY
2 BRIEF.

3 REPRESENTATIVE DUMAS:

4 Q. HOW OLD WAS YOUR FATHER?

5 A. FIFTY-EIGHT.

6 REPRESENTATIVE DUMAS: FIFTY-EIGHT, THANK YOU.

7 CHAIRMAN RHODES: THANK YOU FOR TESTIFYING. I
8 AM VERY SORRY. I KNOW IT IS DIFFICULT FOR YOU TO TALK ABOUT
9 THIS INCIDENT, BUT I AM SURE WE WILL USE THIS INFORMATION IN
10 OUR REVIEW.

11 A. I WOULD LIKE TO SAY SOMETHING ELSE TOO.

12 CHAIRMAN RHODES: GO AHEAD.

13 A. I FEEL THAT ANY TIME A ROOKIE OFFICER COMES
14 OUT OF THE ACADEMY, THAT ANY TIME HE IS OUT IN THE STREET, HE
15 SHOULD BE ASSIGNED WITH SOMEBODY WHO IS MORE IN SENIORITY
16 OUT THERE IN THE STREET. AND IF HE IS IN THE NEIGHBORHOOD,
17 WHEREVER THE NEIGHBORHOOD IS, THAT HE SHOULD BE FAMILIAR WITH
18 THE NEIGHBORHOOD THAT HE IS GOING INTO BEFORE THEY SEND HIM
19 OUT THERE BY HIMSELF.

20 HE WAS NOT FAMILIAR WITH THE NEIGHBORHOOD
21 ESPECIALLY WHEN HE JUST CAME OUT OF THE ACADEMY; AND TO PUT A
22 ROOKIE OUT THERE WHO DOESN'T KNOW ANYTHING ABOUT THE AREA AND
23 HE IS ARMED, I REALLY THINK THAT IS ENDANGERING THE LIVES OF
24 OTHER PEOPLE.

25 CHAIRMAN RHODES: THANK YOU VERY MUCH.

1 REPRESENTATIVE DUMAS:

2 Q. WAS THE OFFICER BLACK OR WHITE?

3 A. HE WAS WHITE.

4 CHAIRMAN RHODES: MRS. WALTON, THANK YOU AGAIN
5 FOR YOUR TESTIMONY AND WE APPRECIATE IT. WE APPRECIATE YOUR
6 DISCUSSING THIS WITH US. BEFORE YOU LEAVE, WE WOULD LIKE YOU
7 TO MEET WITH OUR STAFF TO GIVE THE ATTORNEY'S NAME. WE COULD
8 HAVE COMPELLED YOU TO TESTIFY, BUT WE DIDN'T.

9 A. I UNDERSTAND THAT.

10 (WITNESS EXCUSED.)

11 CHAIRMAN RHODES: SANDRA MOORE, IS SHE HERE
12 NOW?

13 CHAIRMAN RHODES: SANDRA MOORE?

14 MISS MOORE: YES.

15 CHAIRMAN RHODES: DO YOU HAVE IN YOUR
16 POSSESSION A SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE?

17 MISS MOORE: YES.

18 ---

19 SANDRA MOORE, SWORN.

20 CHAIRMAN RHODES: WOULD YOU STATE YOUR NAME AND
21 ADDRESS FOR THE RECORD.

22 A. SANDRA MOORE, 5426 MERION AVENUE.

23 CHAIRMAN RHODES: MRS. MOORE, YOU HAVE TO SPEAK
24 LOUDER. THAT IS NOT A MICROPHONE. THERE IS NO MICROPHONE.
25 OTHER PEOPLE WON'T HEAR YOU UNLESS YOU SPEAK AS LOUD AS YOU

1 CAN, LINE I AM TRYING TO, OKAY?

2 A. YES.

3 CHAIRMAN RHODES: WHY DON'T YOU PROCEED AND
4 TELL US YOUR ACCOUNT.

5 A. YOU WANT MY NAME AND ADDRESS AGAIN?

6 CHAIRMAN RHODES: I THINK THE REPORTER GOT
7 THAT.

8 A. THIS INCIDENT HAPPENED ON SATURDAY NIGHT,
9 26TH -- 28TH OF MAY. A FRIEND AND MYSELF --

10 Q. WHAT YEAR?

11 A. '78.

12 Q. THIS YEAR?

13 A. YES. WE WERE TRAVELING THROUGH THE PARK
14 FROM WEST PHILADELPHIA ON OUR WAY TO NORTH PHILADELPHIA WHEN
15 WE WERE STOPPED BY A POLICE CAR.

16 Q. 'WE,' MEANING WHO?

17 A. ME AND ANOTHER FRIEND, EARL JONES.

18 WE WERE STOPPED BY A POLICE CAR AND THEY
19 TOLD TO PULL OVER. WHEN WE PULLED OVER, THE POLICE OFFICER
20 CAME UP TO THE CAR AND HE ASKED FOR THE LICENSE. AND WE WERE
21 SITTING THERE WAITING WHILE HE CHECKED THE LICENSE AND THE
22 REGISTRATION CARD.

23 Q. WHOSE LICENSE DID HE ASK FOR?

24 A. EARL JONES, THE DRIVER OF THE CAR.

25 Q. WHO WAS DRIVING?

1 A. EARL JONES, THE DRIVER OF THE CAR.

2 AFTER THIS WE WAITED ABOUT TEN OR FIFTEEN
3 MINUTES WHILE HE WENT BACK TO HIS CAR AND HE GAVE SOME
4 INFORMATION OVER THE WALKIE-TALKIE, WHATEVER.

5 HE CAME OVER TO THE CAR AGAIN AND ASKED US
6 TO GET OUT OF THE CAR. WE THEN GOT OUT OF THE CAR.

7 I HAD ASKED THE OFFICER WHAT WAS THE MATTER
8 AND HE SAID, "NOTHING, JUST GET OUT OF THE CAR."

9 Q. WERE THOSE HIS EXACT WORDS?

10 A. HE SAID, "NOTHING," AND THEN MR. JONES GOT
11 OUT OF THE CAR AND HE GOT OUT OF THE CAR AND HE SEARCHED HIM.
12 OKAY. THEY TOOK HIM OVER TO THE CAR AND HE STOOD THERE FOR
13 A WHILE. HE GOT BACK IN THE CAR AND HE SAT THERE WITH ME.

14 TEN MINUTES LATER THEY TOLD US TO GET OUT OF
15 THE CAR AGAIN. THIS TIME I GOT OUT OF THE CAR ALONG WITH
16 HIM, BECAUSE I WAS GETTING AFRAID.

17 IT WAS REALLY DARN. WE WERE IN AN AREA THAT
18 WAS OFF OF THE ROAD AND WE HADN'T BEEN TOLD WHY WE WERE
19 STOPPED.

20 AFTER AWHILE THE OFFICER KEPT FEELING ON MY
21 FRIEND, MR. JONES. HE PICKED HIS COLLAR UP, HE STARTED
22 LOOKING INSIDE HIS CLOTHES AND THINGS LIKE THIS.

23 HE SEEMED VERY NERVOUS AND HIS HAND WAS
24 SHAKING. AND I WAS AFRAID. I DIDN'T KNOW EXACTLY WHAT WAS
25 HAPPENING.

1 Q. THE POLICEMAN'S HANDS WERE SHAKING AND HE
2 SEEMED NERVOUS?

3 A. VERY NERVOUS. HE STARTED PULLING UP MR.
4 JONES' COLLAR AND LOOKING UP HIS CLOTHES. AND I SAID, 'WHY
5 ARE YOU DOING THIS?' ANOTHER OFFICER WAS STANDING THERE WITH
6 HIM. AND I ASKED HIM WHY IS HE DOING THIS? WHY WERE WE
7 STOPPED? AT THIS TIME NEITHER ONE SAID ANYTHING -- THE ONE
8 SAID NOTHING. BUT ONE OFFICER SAID TO ME, 'JUST BE QUIET, HE
9 HAS A RIGHT TO DO THIS.' THEY TOLD ME TO GET BACK IN THE
10 CAR.

11 WE GOT IN THE CAR AND THEY MADE US SIT THERE
12 AGAIN FOR LIKE TEN OR 15 MORE MINUTES, AND THEN THEY TOLD US
13 TO GET BACK OUT AGAIN. WE GOT BACK OUT OF THE CAR AND THEY
14 STARTED SEARCHING HIM AGAIN.

15 BY THIS TIME I WAS VERY UPSET, BECAUSE I WAS
16 VERY AFRAID. I DIDN'T KNOW EXACTLY WHAT WAS GOING TO
17 HAPPEN. IT WAS NO CARS AROUND. IT WAS JUST THE CAR THAT WE
18 WERE SITTING IN AND THE POLICE CAR.

19 SO I ASKED HIM WHY WAS HE SEARCHING MY
20 FRIEND AND WOULD HE LET US GO. HE SAID, 'JUST BE QUIET.'

21 HE SAID TO MY FRIEND, 'WHAT'S THE MATTER,
22 ARE YOU TRYING TO GET SMART?' BY THEN HE IS TRYING TO
23 INTIMIDATE HIM. HE SAID, 'WHAT DID YOU SAY?' HE SAID, 'I'M
24 NOT SAYING ANYTHING.' ESPECIALLY -- MY FRIEND WASN'T SAYING
25 ANYTHING.

1 I SAID: "WHY ARE YOU DOING THIS? WHAT
2 RIGHT DO YOU HAVE TO DO THIS TO US? WHY ARE YOU SEARCHING
3 US?"

4 WE GOT BACK IN THE CAR -- IT HAPPENED ABOUT
5 FIVE OR SIX TIMES WE WERE MADE TO GET IN AND OUT OF THE CAR,
6 GET IN AND OUT OF THE CAR.

7 A POLICE WAGON CAME. THEY MADE A CALL AND A
8 POLICE WAGON CAME. WE STILL WEREN'T TOLD ANYTHING, WHY WE
9 WERE CHARGED, OR WHERE THEY WERE TAKING US OR ANYTHING.

10 WE WERE THEN HANDCUFFED AND PUT INTO THE
11 POLICE WAGON. WE WERE DRIVEN AROUND IN THE DARK FOR AWHILE.
12 I WAS VERY SCARED BECAUSE I DIDN'T UNDERSTAND WHAT WAS
13 HAPPENING. AND I WAS AFRAID THAT -- I WAS JUST AFRAID THEY
14 WERE GOING TO DO SOMETHING TO US.

15 BUT AFTER ABOUT 45 MINUTES OF HARASSMENT WE
16 WERE TAKEN TO A POLICE STATION, I REALLY DON'T KNOW WHERE. I
17 NEVER FOUND OUT.

18 Q. YOU WERE DRIVEN AROUND FOR 45 MINUTES?

19 A. FROM THE TIME THEY STOPPED US UNTIL THE TIME
20 WE GOT TO THIS OTHER PLACE, POLICE STATION, IT WAS 45
21 MINUTES. THEY TOOK US TO THIS PLACE AND TOOK US TO THIS ROOM
22 WHERE THERE WAS A LOT OF NARCOTICS. I WAS SCARED.

23 OH, IN THE PARK HE SAYS, "YEAH, WELL, DID
24 YOU FIND ALL THAT STUFF IN THE CAR?" THIS FRIGHENED ME
25 BECAUSE I KNOW WE DIDN'T HAVE ANYTHING IN THE CAR, BUT I KNEW

1 THEY WERE TALKING ABOUT DRUGS.

2 WHEN WE GOT TO THIS POLICE STATION, WHEREVER
3 IT WAS; I THOUGHT IT WAS IN THE PARK, BUT I AM NOT EVEN
4 SURE. WHEN I ASKED WHERE WE WERE, NOBODY TOLD ME. THEY
5 DIDN'T TELL US ANYTHING. WE JUST WENT THROUGH THIS ROOM
6 WHERE THERE WAS A LOT OF DRUGS; AND WE WERE TOLD TO SIT DOWN,
7 AND THERE WAS STUFF ALL OVER THE TABLE. BY THIS TIME I
8 THOUGHT THEY HAD PLANTED SOMETHING ON US AND WE WERE GOING TO
9 BE CHARGED WITH SOMETHING.

10 WE WERE HELD AT THIS STATION -- WE WERE
11 THERE FOR ABOUT A HALF HOUR. FROM THERE WE WERE TAKEN DOWN
12 TO WHAT I FOUND OUT LATER WAS THE ROUNDHOUSE, 8TH AND RACE.

13 I WAS PUT IN THIS CUBICLE, THIS ROOM THAT
14 HAD NO WINDOWS OR ANYTHING. AND WHEN I WAS ASKED TO GO INTO
15 THE ROOM, I ASKED TO SIT OUTSIDE OF THE ROOM BECAUSE I HAVE A
16 PHOBIA ABOUT BEING CLOSED IN. I DIDN'T KNOW WHY I HAD TO GO
17 IN IN THE FIRST PLACE, WHAT HAD I DONE. SO I WAS ALLOWED TO
18 SIT OUTSIDE.

19 I WAS ASKED MY NAME AND ADDRESS; I GAVE
20 THAT. WHEN I WOULDN'T GIVE MY SOCIAL SECURITY NUMBER, I WAS
21 TOLD TO GET THE HELL INSIDE THIS CUBICLE, AND THEY SLAMMED
22 THE DOOR ON ME.

23 IN THE MEANTIME MY FRIEND, THE OFFICER WHO
24 ARRESTED HIM WAS INTIMATING HIM, 'I BET YOU THINK YOU ARE
25 SOMEBODY, I BET YOU THINK YOU ARE SMART,' ALL KINDS OF CRAZY

1 STUFF, STUFF I DIDN'T UNDERSTAND.

2 HE WAS PUT INTO THIS, WHATEVER THIS CUBICLE
3 WAS NEXT TO ME. I THINK THERE WERE OTHER MEN IN THERE. I
4 WAS IN THIS ONE BY MYSELF. I WAS ALONE, ABOUT A HALF AN HOUR
5 OR SO; I WAS VERY UPSET AND SCARED ABOUT BEING IN THERE. I
6 ASKED COULD I GO TO THE BATHROOM, I WAS TOLD, "YEAH, OKAY,
7 FINE, WE WILL GET YOU A MATRON."

8 AND AFTER AN HOUR WENT BY, I STARTED
9 BANGING ON THE DOOR. I WAS ASKING COULD I GO TO THE LADIES
10 ROOM. NOBODY HEARD ME. I WAS TOLD NOTHING. I KNOCKED ON
11 THE DOOR.

12 IN THE MEANTIME I WAS LISTENING TO WHAT WAS
13 GOING ON IN THE OTHER CUBICLE. AND SOMEBODY WAS CURSING.
14 THEY SAID, "WHICH ONE OF YOU M.F.'S DID THIS ON THE FLOOR?"
15 THIS GUY SAID, "WHICH ONE OF YOU DID IT BECAUSE I GOING TO
16 MAKE YOU LICK IT UP."

17 BECAUSE I WAS KIND OF FEARFUL ABOUT KNOCKING
18 ON THE DOOR AGAIN, I HAD TO DO THE SAME THING, I HAD TO GO TO
19 THE BATHROOM ON THE FLOOR, BECAUSE I COULDN'T GET OUT. I
20 DIDN'T KNOCK ON THE DOOR ANY LONGER. OBVIOUSLY THEY WANTED
21 YOU TO DO THIS ON THE FLOOR.

22 Q. HOW LONG DID YOU WAIT?

23 A. I WAS KEPT IN THIS ROOM FOR THREE HOURS.

24 Q. HOW LONG DID YOU WAIT BEFORE YOU HAD TO
25 RELIEVE YOURSELF ON THE FLOOR?

1 A. I WAITED ABOUT AN HOUR AND A HALF. I WAITED
2 AS LONG AS I COULD, BELIEVE ME. I DON'T LIKE WAITING ON
3 MYSELF. IT IS NOT PLEASANT.

4 THREE HOURS LATER SOMEONE OPENED THE DOOR
5 AND LOOKED IN. AT THAT TIME I ASKED THIS PERSON, THE
6 POLICEMAN, COULD I GO TO THE BATHROOM. SO I EXPLAINED THE
7 SITUATION THAT I HAD TO GO EARLIER TOO, BUT NO ONE WOULD LET
8 ME GO. HE SAYS, "THIS IS DISGUSTING," AND HE ALLOWED ME TO
9 GO TO THE BATHROOM.

10 THEN HE BEGAN TO REPRIMAND THE PEOPLE THAT
11 WERE THERE, "WHAT KIND OF STUFF IS THIS, WHY WAS SHE NOT
12 ALLOWED TO GO TO THE BATHROOM?" THEY CLAIMED THEY NEVER
13 HEARD ME, I NEVER ASKED TO GO TO THE BATHROOM.

14 I SAID: "WHY ARE YOU TREATING ME LIKE THIS?
15 I HAVEN'T BEEN CHARGED WITH ANYTHING. I AM BROUGHT HERE IN
16 THE MIDDLE OF THE NIGHT, I HAVE BEEN HARASSED. WHAT RIGHT DO
17 YOU HAVE TO TREAT ME THIS WAY?"

18 ABOUT 6:30 IN THE MORNING, I WAS GIVEN MY
19 POCKETBOOK AND ESCORTED TO THE DOOR AND TOLD TO LEAVE. I
20 SAID, "I CAN LEAVE. WHAT DO YOU MEAN I CAN LEAVE?" BY THIS
21 TIME I AM JUST A NERVOUS WRECK, AFTER BEING IN A CUBICLE FOR
22 THREE AND A HALF TO FOUR HOURS.

23 THEN I FIND OUT THAT MY FRIEND HAS NOT BEEN
24 RELEASED YET. SO I WAITED UNTIL ABOUT 6:30 THAT NIGHT AND
25 THEY RELEASED HIM.

1 WHEN HE CAME TO THIS HEARING ON ARRAIGNMENT
2 OR WHATEVER --

3 Q. HOLD IT. YOU WAITED AT THE STATION FROM
4 6:30 IN THE MORNING UNTIL 9:00 AT NIGHT?

5 A. RIGHT, WAITING FOR MY FRIEND. I STAYED
6 THERE BECAUSE I WANTED TO FIND OUT EXACTLY WHAT WAS GOING TO
7 HAPPEN TO HIM.

8 Q. SO YOU WAITED FROM 6:30 THAT MORNING UNTIL
9 9:00 THAT DAY?

10 A. I WAITED FROM 6:30 IN THE MORNING UNTIL 6:30
11 AT NIGHT.

12 Q. 6:30 AT NIGHT?

13 A. RIGHT. AT THAT TIME HE CAME UP BEFORE THE
14 JUDGE. THEY SAID TO HIM THAT THE DISTRICT ATTORNEY HAD
15 DROPPED THE CHARGES. NOW I NEVER KNEW WHAT THE CHARGES WERE.
16 BUT SUPPOSEDLY, I WAS TOLD BY THE PERSON, THE COP THAT LET ME
17 GO TO THE BATHROOM THAT MORNING, THAT THEY SAID THEY FOUND
18 TWO BAGS OF REEFERS ON THE FLOOR.

19 Q. ALL OVER, TWO BAGS OF REEFERS?

20 A. THIS WAS IT, BUT HE WAS NEVER CHARGED WITH
21 THIS.

22 Q. ALLEGED?

23 A. ALLEGED, OKAY. THIS IS WHAT HE SAID. HE
24 SAID -- SOMEONE SAID THAT THERE WERE TWO BAGS OF REEFERS ON
25 THE FLOOR.

1 REPRESENTATIVE RICHARDSON: FLOOR OF WHAT?

2 A. THE FLOOR OF THE CAR. SO WE WERE ALLOWED
3 THEN, AT 6:30 THEY RELEASED HIM.

4 WE WENT BACK OUT TO THE PARK, WHERE AT THAT
5 TIME WE LOOKED INSIDE THE CAR AND SOMEONE HAD WENT AND
6 URINATED ALL INSIDE, WHICH I THINK THE POLICE OFFICERS DID
7 BECAUSE WHEN WE LEFT, I REMEMBER, THAT NIGHT THEY SAID, "HEY,
8 DO YOU THINK YOUR CADILLAC WILL BE SAFE OUT HERE?" IT WAS
9 LIKE AN OLD BEAT UP CAR.

10 I THOUGHT THAT THEY MUST HAVE THOUGHT IT WAS
11 VERY SMART. I BELIEVE THEY URINATED INSIDE THE CAR, I DON'T
12 KNOW WHY.

13 WHEN WE CAME BACK THE NEXT DAY, A SUNDAY IT
14 WAS A LOT OF PEOPLE THERE, NOBODY HAD TAKEN ANYTHING OUT OF
15 THE CAR AND IT WAS STILL SITTING THERE, AND THAT WAS IT.

16 I DIDN'T KNOW WHO TO GET IN TOUCH WITH. I
17 DIDN'T KNOW WHERE TO GO FOR HELP. I FELT -- I JUST FELT IT
18 WAS UNBELIEVABLE

19 CHAIRMAN RHODES:

20 Q. IT SOUNDS UNBELIEVABLE.

21 A. THAT WAS THE FIRST TIME ANYTHING LIKE THAT
22 HAPPENED TO ME. I KNEW IT COULD HAPPEN BECAUSE I HEARD ABOUT
23 THINGS LIKE THAT, I NEVER EXPECTED IT TO HAPPEN TO ME.

24 CHAIRMAN RHODES: THANK YOU.

25 A. THERE WAS ALSO ANOTHER INCIDENT, WHICH IS

1 MUCH SHORTER.

2 A HALF A BLOCK FROM WHERE I LIVE THERE IS A
3 SCHOOL YARD ON LANCASTER AVENUE, AND I JOG THERE IN THE
4 EVENINGS. I WAS RUNNING THERE ONE NIGHT WHEN A CAR CAME INTO
5 THE SCHOOLYARD.

6 CHAIRMAN RHODES:

7 Q. A POLICE CAR?

8 A. HE CAME AFTER ME AND RAN AFTER ME, AND HE
9 BLOCKED ME UP AGAINST THE WALL WITH HIS LIGHTS ON.

10 Q. WHEN WAS THIS?

11 A. THIS HAPPENED LAST YEAR IN JUNE. I DON'T
12 KNOW THE DATE OF IT. IT HAPPENED IN '77.

13 MY BROTHER WAS SITTING THERE WAITING FOR ME;
14 IT WAS LATE AND SOMETIMES I GET SOMEBODY TO ACCOMPANY ME
15 WHILE I RUN. AT THIS TIME THE POLICE OFFICER JUMPS OUT OF THE
16 CAR AND WHEN --

17 Q. THE POLICE CAR JAMMED YOU AGAINST THE WALL?

18 A. I AM JUST RUNNING AROUND AND AROUND. THE
19 POLICE CAR COMES INTO THE SCHOOLYARD AND IT IS COMING AFTER
20 ME.

21 AT FIRST I SEE IT COMING IN AND I IGNORE IT
22 UNTIL I FIND HE IS SPEEDING AFTER ME. AND I RUN AGAINST THE
23 WALL AND HE CHASES ME UP AGAINST THE WALL, AND I AM LIKE THIS
24 UP AGAINST THE WALL.

25 HE THEN PROCEEDS TO GET OUT OF HIS CAR REAL

1 FAST, AND I TAKE OFF TO RUN UP THE STEP. THEN HE CROUCHES
2 DOWN IN A POSITION AND TAKES OUT HIS GUN AND HE SAID, "STOP,
3 YOU M.F, OR I WILL KILL YOU."

4 Q. HE ACTUALLY SAID THOSE WORDS?

5 A. YES HE ACTUALLY SAID THOSE WORDS. I WAS
6 PETRIFIED.

7 Q. YOU STOPPED?

8 A. OF COURSE, ON THE SPOT, ON THE SPOT, BECAUSE
9 I THOUGHT HE HAD SHOT ME. JUST THAT FAST, I THOUGHT HE HAD
10 KILLED ME.

11 AND WHAT HAD HAPPENED WAS HE DIDN'T REALIZE
12 THAT I WAS A GIRL, POSSIBLY -- I DON'T KNOW, MAYBE IT WAS THE
13 SHORT HAIRCUT. I DON'T KNOW WHAT THE EXCUSE WAS.

14 BUT HE ALSO SAID THERE WERE TWO YOUNG BLACK
15 BOYS OUTSIDE OF THE SCHOOLYARD WHO WERE WALKING AROUND, AND
16 HE THOUGHT I WAS WITH THOSE TWO, AND THAT I WAS TRYING TO
17 BREAK INTO THE SCHOOL. BUT THE BUILDING, THE WINDOWS WERE
18 TWO STORIES HIGH. I ASKED HIM, "HOW WAS I GOING TO GET UP
19 THERE, SCALE THE WALL?"

20 SO AT THIS TIME HE IS SHAKING AND SCARED,
21 AND I AM PETRIFIED.

22 ALL I COULD SAY TO HIM WAS, "WELL, IF YOU ARE
23 THAT AFRAID, YOU HAVE NO RIGHT AROUND HERE. YOU COULD HAVE
24 KILLED ME FOR NOTHING, FOR NOTHING. I WASN'T DOING ANYTHING
25 BUT RUNNING."

1 CHAIRMAN RHODES: SO FAR AS I CAN TELL,
2 EMPLOYING THAT WEAPON IS A VIOLATION OF THE STATE LAW UNDER
3 THAT CIRCUMSTANCE.

4 REPRESENTATIVE DUMAS: WHAT WAS THE OUTCOME OF
5 THIS?

6 A. THE OUTCOME OF THE INCIDENT WAS, I WAS JUST
7 SO AFRAID, I KEPT ON RUNNING AND CRYING BECAUSE I DIDN'T KNOW
8 WHAT TO DO.

9 I DIDN'T STOP TO GET HIS NUMBER. I DIDN'T
10 DO ANYTHING. I WASN'T RATIONAL AFTER THAT. I JUST RAN ON
11 OUT OF THE SCHOOLYARD WITH MY BROTHER.

12 REPRESENTATIVE RICHARDSON: DO YOU REMEMBER THE
13 CAR NUMBER?

14 A. I DIDN'T HAVE ANY OF THAT INFORMATION. WHEN
15 I WAS ASKED THAT THE NEXT DAY, I DIDN'T REMEMBER ANY OF IT.

16 CHAIRMAN RHODES: YOU WERE SCARED?

17 A. YES.

18 REPRESENTATIVE RICHARDSON: DO YOU KNOW WHAT
19 DISTRICT IT WAS?

20 A. NO.

21 REPRESENTATIVE DUMAS: RIGHTFULLY SO.

22 A. ALSO THE FIRST INCIDENT WHERE I DID FIND ONE
23 THING ON THE FLOOR OF THE CAR WHERE HE WENT BACK, THERE WAS A
24 TICKET SAYING THAT WE HAD BEEN STOPPED FOR SOME KIND OF A
25 LIGHT FAILURE, THE BACK LIGHT OF THE CAR. I HAVE THE TICKET

1 WITH ME HERE. THE REASON WE WERE STOPPED THAT DAY WHEN WE
2 WERE HARASSED WAS THAT HE HAD A LIGHT FAILURE OR SOMETHING,
3 THE REAR LIGHT WAS MISSING.

4 REPRESENTATIVE CIANCIULLI: IS THERE AN
5 OFFICER'S NAME AND BADGE NUMBER?

6 A. I HAVE THE BADGE NUMBER ON THIS TICKET OF
7 THE OFFICER WHO HARASSED US, ONE OF THEM.

8 CHAIRMAN RHODES: WHAT IS THE BADGE NUMBER?

9 A. THE BADGE NUMBER IS 5125. YOU CAN SEE THE
10 NAME. I CAN'T MAKE IT OUT TOO CLEARLY.

11 CHAIRMAN RHODES: DO YOU WANT THE TICKET?

12 REPRESENTATIVE CIANCIULLI: WOULD YOU SUBMIT
13 THAT AS EVIDENCE?

14 A. YES, YOU CAN HAVE IT.

15 (DOCUMENT HANDED TO REPRESENTATIVE DUMAS
16 BY THE WITNESS.)

17 REPRESENTATIVE DUMAS: ARASKY, I BELIEVE.

18 CHAIRMAN RHODES: DO YOU WANT THE TICKET? HAVE
19 YOU PAID IT?

20 A. NO.

21 REPRESENTATIVE OLIVER: ACTUALLY, YOU REALLY
22 DON'T NEED IT BECAUSE YOU WILL GET A SUMMONS. COULD YOU
23 LEAVE IT WITH US?

24 A. IF I COULD LEAVE THE TICKET? YES.

25 REPRESENTATIVE CIANCIULLI: LEAVE IT OVER

1 THERE.

2 CHAIRMAN RHODES: LEAVE IT WITH PAUL, THE
3 FELLOW WITH THE YELLOW SHIRT.

4 IS THERE ANYTHING ELSE YOU WOULD LIKE TO
5 TELL US?

6 A. NO, I THINK THAT IS ALL.

7 CHAIRMAN RHODES: ANY QUESTIONS FROM THE
8 COMMITTEE? I SHOULD THINK SO.

9 OH, REPRESENTATIVE RICHARDSON HAS ONE,
10 REPRESENTATIVE RICHARDSON.

11 REPRESENTATIVE RICHARDSON: MR. CHAIRMAN, I AM
12 TRYING TO CLARIFY A POINT.

13 REPRESENTATIVE RICHARDSON:

14 Q. ON THE DAY OF THE INCIDENT IN THE SCHOOLYARD
15 WHERE YOU WERE JOGGING, THE INCIDENT THAT OCCURRED THERE,
16 THIS HAPPENED PRIOR TO THE ONE THAT HAPPENED WITH MR. JONES
17 --

18 A. YES.

19 Q. --- IN THE CAR?

20 A. YES.

21 Q. BEFORE THAT HAVE YOU HAD ANY ENCOUNTERS WITH
22 THE POLICE?

23 A. NO.

24 Q. DO YOU KNOW ANYTHING ABOUT THE KIND OF
25 POLICE VIOLENCE, ABUSES IN PHILADELPHIA, PEOPLE HAVE TALKED

1 ABOUT BEFORE?

2 A. I HAVE SEEN IT. I HAVE SEEN A MAN ALMOST,
3 ALMOST LITERALLY BEATEN TO DEATH WHILE WAITING FOR A BUS. I
4 SAW ABOUT 15 POLICEMEN ATTACK A MAN AT 56TH AND MARKET
5 STREETS. I CALLED THE NEWSPAPERS TO SEE IF ANYBODY HAD SEEN
6 THIS AND WHAT COULD BE DONE.

7 CHAIRMAN RHODES: WHEN DID THAT OCCUR?

8 A. THIS OCCURRED LAST SUMMER.

9 (DISCUSSION OFF THE RECORD.)

10 REPRESENTATIVE RICHARDSON:

11 Q. WHAT I AM TRYING TO GET AT, MRS. MOORE, IS
12 IN THIS CITY THIS PROBLEM HAS BREWED FOR SOME TIME.

13 IN YOUR ESTIMATION, WOULD YOU OR COULD YOU
14 DESCRIBE TO US THE REACTION OF THE PEOPLE IN THE CITY IN
15 RELATIONSHIP TO THIS VERY SERIOUS PROBLEM THAT YOU DESCRIBED
16 TO US TODAY IN BOTH INSTANCES?

17 A. WELL --

18 CHAIRMAN RHODES: YOU ARE UNDER OATH.

19 A. WHAT DOES THAT MEAN?

20 CHAIRMAN RHODES: IT MEANS IF YOU SAY SOMETHING
21 NOT OF YOUR PERSONAL KNOWLEDGE, YOU WILL PUT YOURSELF UNDER
22 JEOPARDY OF PERJURY.

23 GO AHEAD AND ANSWER THE QUESTION.

24 A. WELL, BELIEVE ME I HAVE BEEN LIVING IN THE
25 CITY FOR 31 YEARS NOW. I THINK IF I CAN REFLECT THE IMAGE OF

1 SOME PEOPLE IN THE CITY IT IS A FEELING OF ALIENATION. FOR
2 INSTANCE, WE ARE REALLY BEING INTIMIDATED. WE ARE BEING
3 BRUTALIZED AND, ACTUALLY, I ALSO BELIEVE WE ARE BEING
4 MURDERED.

5 LIKE I SAID, THAT INCIDENT I COULD HAVE VERY
6 WELL BEEN KILLED AND NOBODY WOULD HAVE KNOWN ANYTHING ABOUT
7 IT. I WOULD HAVE BEEN DEAD.

8 IT IS A FEELING OF HELPLESSNESS, YOU KNOW.
9 WHO CAN WE GO TO? WHO WILL HELP US?

10 AND THEN THERE IS THAT FEELING OF
11 CREDIBILITY, OUR WORD AGAINST THE POLICEMAN'S WORD. IF THAT
12 POLICEMAN HAD SHOT ME THAT NIGHT IN THE SCHOOLYARD, WHAT
13 WOULD HE HAVE SAID? I WOULD HAVE BEEN DEAD, YOU KNOW.

14 AND IN THE INCIDENT IN THE PARK, HERE AGAIN,
15 THE POLICEMAN, WHOEVER THAT WAS, HE COULD HAVE SAID, "YES, WE
16 FOUND TWO BAGS OF REEFERS ON THE FLOOR OF THE CAR." IT WOULD
17 HAVE BEEN OUR WORD AGAINST HIS. LIKE I SAID, WE WEREN'T
18 EVEN CHARGED WITH IT. BUT IT STILL WOULD HAVE BEEN.

19 I FEEL WHAT IS GOING ON NOW IS HORRIBLE AND
20 I THINK -- I FEAR FOR MY LIFE, AND I FEAR FOR MY SON'S LIFE.

21 CHAIRMAN RHODES: THANK YOU.

22 REPRESENTATIVE RICHARDSON: THANK YOU VERY
23 MUCH. I AT NO TIME WILL ALLOW MYSELF OR ANYONE ELSE TO BE
24 INTIMIDATED WHO COMES TO TESTIFY. IF I HAVE A QUESTION, I
25 THINK AS A COMMITTEE MEMBER WHO SITS HERE IN THE CITY OF

1 PHILADELPHIA AS AN ELECTED REPRESENTATIVE WHO FINALLY GOT
2 THIS HEARING TO COME TO PHILADELPHIA, I WILL ASK THESE
3 QUESTIONS THAT ARE NECESSARY IN ORDER TO MAKE THE RECORD
4 CLEAR.

5 THANK YOU VERY MUCH.

6 (APPLAUSE.)

7 CHAIRMAN RHODES: THANK YOU, MRS. MOORE.

8 (WITNESS EXCUSED.)

9 CHAIRMAN RHODES: ELISHEBA SHABAZZ ALI AND I.
10 ABDUL JON, ARE THEY HERE? ARE THE OTHERS HERE ALSO. I
11 THOUGHT YOU WANTED TO TESTIFY TOGETHER.

12 MR. JON: WE DON'T ACTUALLY TESTIFY TOGETHER.

13 CHAIRMAN RHODES: SHE IS NOT HERE AT THIS TIME?

14 MR. JON: NO, SHE IS NOT.

15 CHAIRMAN RHODES: MR. JON, DO YOU HAVE IN YOUR
16 POSSESSION A SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE?

17 MR. JON: YES, I DO.

18 CHAIRMAN RHODES: DO YOU ACKNOWLEDGE YOU HAVE
19 IT IN YOUR PRESENCE?

20 MR. JON: EXCUSE ME?

21 CHAIRMAN RHODES: DO YOU ACKNOWLEDGE YOU HAVE
22 IT?

23 MR. JON: YES, I DO.

24 ---

25 I. ABDUL JON, AFFIRMED.

1 CHAIRMAN RHODES: MR. JON, WILL YOU STATE YOUR
2 FULL NAME AND ADDRESS FOR THE RECORD.

3 A. MY FULL NAME IS I. ABDUL JON, A/K/A MICHAEL
4 JONES. MY ADDRESS IS 6812 CLEARVIEW STREET, PHILADELPHIA,
5 PENNSYLVANIA.

6 CHAIRMAN RHODES: THANK YOU, MR. JON.

7 A. ALL RIGHT.

8 CHAIRMAN RHODES: WILL YOU PROCEED AND TELL US
9 THE INCIDENTS YOU WOULD LIKE TO RELATE TO US?

10 A. I HAVE SEVERAL INCIDENTS THAT I WOULD LIKE
11 TO REFER TO YOU.

12 I WOULD LIKE TO START OFF WITH AN OLD ONE, A
13 BEATING INCIDENT THAT OCCURRED TO MYSELF. I WAS BEAT UP BY
14 POLICE, AND I WAS FOUND NOT GUILTY IN A COURT OF LAW. AND
15 THERE WAS LEFT NO OPPORTUNITY OF RETALIATION FOR ME TO DO
16 ANYTHING.

17 YOU KNOW, I WAS BEAT UP BY THE POLICE AND
18 THEN I WAS TAKEN INTO COURT UNDER THE CRIME OF COMMITTING
19 ASSAULT AND BATTERY. AND WHEN IT WAS FOUND I DID NOT COMMIT
20 ASSAULT AND BATTERY -- ALTHOUGH IT WAS TOTALLY UNDERSTOOD
21 ASSAULT AND BATTERY WAS COMMITTED UPON ME -- THERE WAS NO
22 ACTION I COULD TAKE IN REGARD TO THE SITUATION.

23 Q. WHEN DID THE INCIDENT OCCUR?

24 A. THE INCIDENT TOOK PLACE ABOUT TWO YEARS AGO
25 IN THE MONTH OF FEBRUARY OR MARCH. I WAS STANDING ON THE

1 CORNER WITH SOME FRIENDS OF MINE WHO WERE REPAIRING THEIR CAR
2 AT WHICH TIME AN OFFICER PULLED UP AND ASKED THEM WHOSE CAR
3 IT WAS. AND MY FRIEND TOLD THEM THAT -- IT WAS A CAR OF SOME
4 FRIENDS OF MINE.

5 ANOTHER OFFICER PULLED UP AND HE AS WELL
6 CAME OVER AND WHAT-NOT. I THINK HE WENT THROUGH THE COAT OF
7 ONE -- THE COAT INSIDE ONE OF THE CARS, AT WHICH TIME I TOLD
8 HIM THAT BELONGED -- I INDICATED THE OWNER OF THE CAR.

9 HE CAME OVER TO ME AND ASKED ME IF I HAD ANY
10 BUSINESS THERE AND WHAT-NOT. I TOLD HIM I WAS JUST THERE.
11 AND THEN HE PROCEEDED TO GO INTO MY POCKETS, AT WHICH TIME I
12 PUSHED HIS ARMS AWAY AND TOLD HIM HE COULD SEE ANYTHING I HAD
13 ON ME. AT WHICH TIME HE WENT TO HIS CAR, CALLED FOR
14 ASSISTANCE AND CAME OVER AND PROCEEDED TO GO INTO MY POCKETS
15 AGAIN. AT WHICH TIME I PUSHED HIM AWAY AND WE STARTED
16 FIGHTING. AND THEN SO WE FOUGHT.

17 THEY HANDCUFFED --- THEY CAME AND WHAT-NOT.
18 I STOPPED FIGHTING AND I WENT INTO A CURL. I TRIED TO
19 PROTECT MYSELF AND THEY CONTINUED TO BEAT ME AND HANDCUFFED
20 ME AND SET ME UP ON MY LEGS -- ON MY KNEES, AT WHICH TIME
21 THEY SMACKED ME IN MY FACE WITH A BLACKJACK, TOOK ME AND DRUG
22 ME AND PUT ME IN A CAR, AT WHICH TIME BROTHER OFFICERS GOT
23 IN, ONE GOT IN WITH A BLACKJACK, GOT IN AND PROCEEDED TO BEAT
24 ME ALL IN MY HEAD. AND ANOTHER OFFICER WAS KICKING ME AND
25 STEPPING ON MY HANDCUFFS AND GAVE ME LACERATIONS OF THE HEAD

1 AND SEVERAL BRUISES THROUGHOUT MY BODY.

2 I AM SAYING THAT I WENT TO COURT FOR THIS FOR
3 ASSAULT AND BATTERY ON THE VERY OFFICER THAT ASSAULTED AND
4 BATTERED ME, AND I WAS FOUND NOT GUILTY IN A COURT OF LAW.

5 I AM SAYING ALONG WITH THAT POLICE ABUSE, I
6 AM SAYING THAT I WENT TO SEVERAL THINGS, LIKE ON T.V. THEY
7 WOULD HAVE MEETING HOUSE AND THINGS OF THIS NATURE. I SAW
8 THE PRESIDENT OF THE F.O.P. SIT UP THERE CONSTANTLY SAYING HE
9 KNEW NOTHING ABOUT POLICE ABUSE WHEN WE HAVE BUREAUS SUCH AS
10 P.I.L.C.O.P. WHO WILL EASILY GIVE THEM INFORMATION IN REGARDS
11 TO POLICE ABUSE.

12 I AM SAYING FOR THIS MAN WHO IS SUPPOSED TO
13 BE KNOWLEDGEABLE AND DEAL WITH THE PROBLEMS THAT OCCUR WITHIN
14 OUR COMMUNITY TO GIVE US ALTERNATIVES OTHER THAN OUT-AND-OUT
15 VIOLENCE, HE DOESN'T KNOW ANYTHING ABOUT THESE THINGS. THESE
16 PEOPLE HOLD YOU RESPONSIBLE FOR CRIMES AND HOLD YOU
17 RESPONSIBLE FOR INJUSTICES YOU MIGHT DO TO ANOTHER AND WAGE
18 INJUSTICES AGAINST YOU AT THE EXPENSE OF TAXPAYERS, CALLING
19 THEMSELVES PROTECTIVE AGENCIES.

20 Q. IS THIS THE ONLY INCIDENT?

21 A. NO.

22 Q. WHAT IS THE NEXT INCIDENT?

23 A. THE NEXT INCIDENT CAME ABOUT DURING THE PAST
24 YEAR, SINCE MAY 20TH WHILE I HAVE BEEN AROUND THE MOVE
25 ORGANIZATION. SEVERAL TIMES, YOU KNOW, AROUND THE IMMEDIATE

1 TIME FROM MAY 20TH WHEN THE WARRANTS WERE FIRST PLACED OUT ON
2 MOVE, I WAS ARRESTED. I WAS ARRESTED FOR LOOKING LIKE
3 SOMEONE, YOU KNOW. THEY ARRESTED ME BECAUSE I WAS SUPPOSED
4 TO BE SOMEBODY THEY ALREADY HAD LOCKED UP IN THE CONFINES OF
5 307 AND 309, 33RD STREET.

6 I AM SAYING WHY DID THEY ARREST ME? WHAT
7 WAS THE REASON FOR THEM ARRESTING ME WHEN THE PEOPLE THEY
8 WERE LOOKING FOR AND THE PEOPLE THEY HAD THE WARRANT OUT FOR
9 WERE RIGHT THERE WHERE THEY KNEW TO FIND.

10 AND I AM SAYING, YOU KNOW, AND ALSO AS WELL
11 AS THAT, JEANETTE KNIGHT, 'CONCERNED CITIZENS FOR MOVE,' SHE
12 WAS BEATEN BY POLICE ON ONE INSTANCE. WE TOOK HER DOWN TO
13 THE HOSPITAL FOR A CHECKUP AND WHAT-NOT TO VERIFY THE
14 BEATINGS THAT SHE HAD RECEIVED THROUGHOUT THIS TIME, THIS
15 BLOCKADE; AND THIS INCIDENT WITH MOVE HAS BEEN GOING ON.

16 ALL RIGHT, ON THE 16TH OF MARCH WHEN THEY
17 IMPLEMENTED THE BLOCKADE I WAS ARRESTED OUT IN FRONT OF THE
18 MOVE HOUSE AND I WAS TAKEN IN WITH SIX OTHER PEOPLE. IT WAS
19 STATED AT THAT TIME BY SOMEONE FROM THE POLICE FORCE THAT I
20 WAS IN VIOLATION OF THE COURT ORDER WHICH INSPECTOR FENCL
21 LATER CAME AND GAVE TESTIMONY HIMSELF SAYING I WAS NOT, THAT
22 THEY HAD NOT READ THE COURT ORDER TO ME.

23 NOW I WAS ARRESTED FOR BEING IN VIOLATION OF
24 THE COURT ORDER WHICH WAS NEVER READ TO ME AND NONE OF US
25 NEVER KNEW ANYTHING ABOUT.

1 ALL RIGHT, I WAS TAKEN IN ON THAT AND I WAS
2 GIVEN 15 DAYS FOR A CONTEMPT OF COURT FOR A VIOLATION THAT I
3 SHOULD NEVER HAVE BEEN BROUGHT IN COURT FOR. I WAS THE ONLY
4 ONE WHO WAS FOUND GUILTY -- YOU KNOW, THE CHARGES WERE
5 DROPPED; BUT YET IN STILL, I WAS CHARGED WITH CONTEMPT OF
6 COURT, EACH AND EVERY ONE ELSE IN THAT GROUP WAS LET GO.

7 AND 15 DAYS AFTER I WAS COMMITTED -- I
8 SERVED MY SENTENCE FOR THAT CONTEMPT OF COURT, I WAS
9 RELEASED. THE DAY AFTER I WAS RELEASED I CAME OUT TO MOVE TO
10 SEE WHAT THE BLOCKADE LOOKED LIKE, BECAUSE I HEARD SO MUCH
11 ABOUT IT. UPON COMING BACK, I WAS TRICKED AND CONNIVED BY
12 THE POLICE DEPARTMENT. THE POLICE DEPARTMENT STOOD UP, YOU
13 KNOW, IN THE COURT AND SAID I INDICATED TO MOVE THAT THE
14 POLICE WERE COMING. THIS IS 16 DAYS AFTER THE SURROUNDING,
15 12 MAN -- THIS LARGE NUMBER OF POLICEMEN WERE THERE IN THAT
16 AREA. THEY SAID THAT I SAID THAT THE POLICE WERE COMING.

17 YOU KNOW, I AM SAYING THEY ALREADY KNEW THE
18 POLICE WERE THERE. IT WASN'T NECESSARY FOR ME TO TELL THEM
19 IT WAS HAPPENING. THE POLICE, DUE TO THE FACT THEY HAD THAT
20 POWER AND THAT ABILITY, TOOK ME IN, SHOWING THE SAME
21 PREJUDICE THEY SHOWED THE FIRST TIME WHEN THEY ARRESTED ME.

22 ON THE INCIDENT OF THE FIRST TIME THEY
23 ARRESTED ME THEY CAME TO ME -- THIS IS ON THE 16TH OF MARCH
24 WHEN THEY IMPLEMENTED THE BLOCKADE AT MOVE -- THEY CAME TO ME
25 AND SAID, 'ALL RIGHT, YOU HAVE GOT TO EITHER GO TO JAIL, YOU

1 KNOW, OR YOU HAVE GOT TO GO," AT WHICH TIME I TOLD THEM I
2 WOULD GO.

3 POLICE COMMISSIONER O'NEILL HIMSELF SAID,
4 "NO, IT'S TOO LATE, ARREST HIM." AND THEY ARRESTED THE SIX
5 OF US. I AM SAYING THE MAN TOLD ME THAT I HAD TO EITHER GO
6 OR GO TO JAIL, AND THEN POLICE COMMISSIONER O'NEILL TOOK IT
7 UPON HIMSELF TO HAVE US ARRESTED; AND THEN FOR IT LATER TO BE
8 THROWN OUT OF COURT. BUT YET IN STILL, I WAS MAINTAINED AND
9 KEPT IN PRISON.

10 SO I WENT TO JAIL FOR ANOTHER 15 DAYS. ALL
11 RIGHT, SO NOW THEY PUT OUT -- ISSUED WARRANTS --

12 REPRESENTATIVE WILLIAMS: THAT WAS IN MARCH?

13 A. MARCH 16TH, WHEN THEY FIRST INITIATED THE
14 BLOCKADE ON MOVE.

15 MY SECOND ARREST WAS ON THE FIRST OF JULY --
16 EXCUSE ME, APRIL, FIRST OF APRIL, APRIL FOOLS' DAY.

17 REPRESENTATIVE WILLIAMS: WHAT YOU RELATED WAS
18 THE SECOND?

19 A. WHEN POLICE COMMISSIONER O'NEILL INSISTED I
20 BE ARRESTED WAS ON MARCH 16TH WHEN THEY FIRST IMPLEMENTED THE
21 BLOCKADE ON MOVE.

22 REPRESENTATIVE WILLIAMS: THAT WAS YOUR FIRST
23 CONTEMPT OF COURT ARREST?

24 A. I WAS ARRESTED FOR A POSSIBLE CONTEMPT OF
25 COURT ORDER AT WHICH TIME I WAS -- THE CONTEMPT OF COURT

1 ORDER WAS THROWN OUT, BUT THEY KEPT ME FOR CONTEMPT OF COURT
2 BECAUSE WHEN IT WAS SAID THAT THE COURT ORDER WAS READ TO ME
3 I SAID, "NO, IT WASN'T."

4 I WOULD ALSO LIKE TO BRING TO YOUR ATTENTION
5 IN THIS COUNTRY AND IN THIS STATE YOU ARE SUPPOSED TO HAVE A
6 LAWYER PRESENT. THEY HAD TWO DISTRICT ATTORNEYS PRESENT IN
7 THAT COURTROOM. THEY DIDN'T HAVE ONE PUBLIC DEFENDER.

8 I AM SAYING I GO TO PEOPLE AND I TELL THEM
9 ABOUT THIS, THEY SAY: "NO, THAT IS AGAINST THE LAW, THAT IS
10 NOT THE LAW. YOU HAVE TO HAVE THE LAWYER PRESENT." AND I AM
11 TELLING YOU RIGHT NOW I WENT TO JAIL WITH NO LAWYER PRESENT.

12 I PUT IN AN APPEAL MY SECOND ARREST, THE
13 JUSTICE SYSTEM IN THIS STATE IS TRYING TO IGNORE. I AM
14 SAYING THEY ARE TRYING TO IGNORE THIS APPEAL THAT I PLACED
15 IN. I AM SAYING THAT I WAS NOT GUILTY OF ANYTHING, AND I AM
16 SAYING I AM WILLING TO GO TO COURT AND PROVE IT, BUT THEY
17 DON'T EVEN WANT TO BRING IT UP.

18 IN FACT, MY RECORDS HAVE BEEN DESTROYED. I
19 WENT DOWN TO CITY HALL TO GET MY RECORDS FROM MY FIRST
20 ARREST. THEY SAID THEY DON'T EVEN KNOW ANYTHING ABOUT IT. I
21 SPENT 15 DAYS IN JAIL AND NOW THEY SAY THEY DON'T KNOW
22 NOTHING ABOUT IT.

23 I SAY THERE WASN'T NO LAWYER PRESENT. IT'S
24 THE LAW YOU'RE SUPPOSED TO HAVE A LAWYER PRESENT.

25 REPRESENTATIVE WILLIAMS: WHAT JAIL WERE YOU

1 INT

2 A. I SPENT TIME DURING THE COURSE OF MY TWO
3 ARRESTS I DID 30 DAYS. I'VE BEEN IN HOLMESBURG, I'VE BEEN IN
4 THE DETENTION CENTER, AND I'VE BEEN IN THE CREEK.

5 REPRESENTATIVE RICHARDSON: 'CREEK,' MEANING
6 THE HOUSE OF CORRECTION?

7 A. HOUSE OF CORRECTION.

8 CHAIRMAN RHODES: DO YOU HAVE ANY FURTHER
9 TESTIMONY TO GIVE?

10 A. YES, I DO.

11 NOW, I WAS DOWN AT THIS THING THAT THEY HAD
12 DOWN IN CITY HALL EARLIER YESTERDAY WITH REGARDS TO THE
13 DECISION UPON BRINGING OUT THE WARRANTS ON MOVE. AND I SAW A
14 JUDGE SIT UP ON THE STAND UNDER THE PRETENSES OF BEING
15 HONORABLE, HAVING A TANTRUM. HE ISSUES WARRANTS OUT, YOU
16 KNOW, FOR THE ENTIRE FAMILY OF MOVE.

17 I AM SAYING I WAS WALKING DOWN THE STREET
18 JUST BEFORE I GOT HERE AND I WAS ARRESTED. I WAS HELD IN
19 JAIL FOR ABOUT TWO HOURS, YOU KNOW. THEY ASKED ME DID I HAVE
20 IDENTIFICATION.

21 DURING THE TIME THAT I WAS IN JAIL I ALSO
22 SAW ANOTHER BROTHER WHO HAD A DREADLOCKS HAIR STYLE SIMILAR
23 TO MINE BEING BROUGHT IN, YOU KNOW. HE WAS BEING HELD ON THE
24 SAME REASON BECAUSE HE WAS BELIEVED TO POSSIBLY BE A MOVE
25 MEMBER.

1 I AM SAYING THESE WARRANTS THEY ARE ISSUING
2 OUT IS JUSTIFICATION FOR PEOPLE TO HARASS ANY CULTURAL PERSON
3 WHO DECIDES TO WEAR HIS HAIR NAPPY TO INTIMIDATE THEM AND
4 INCRIMINATE THEM ANY TIME THEY GET READY. THE LAWYER, OSCAR
5 GASKINS, SAID TO THE JUDGE HE WOULD DESIRE FOR HIM TO
6 INITIATE -- OH, JUST WHOM HE DESIRED TO BE ARRESTED, TO BE ON
7 THE WARRANT. I'M SAYING THEY AIN'T GOT NO RIGHT TO BE
8 ARRESTING ME IF THEY DON'T KNOW THAT I COMMITTED A CRIME.

9 CHAIRMAN RHODES: WERE YOU ARRESTED TODAY?

10 A. I WAS ARRESTED TODAY AND I WAS BROUGHT INTO
11 THE 22ND DISTRICT.

12 CHAIRMAN RHODES: WHAT WERE YOU ARRESTED FOR?

13 A. I WAS ARRESTED BECAUSE I WAS RIDING MY BIKE
14 DOWN THE STREET AND THEY FELT LIKE ARRESTING ME.

15 I'M SAYING LIKE THEY CAN DO ANYTHING TO YOU
16 ANY TIME THEY WANT TO. THEY TALKING ABOUT 'YEAH, THIS LOOKS
17 LIKE YOU.' I AM SAYING NOT ONLY ME, THERE WAS ANOTHER
18 BROTHER IN THE DISTRICT. I'M SAYING THAT'S ONLY ONE
19 DISTRICT. THAT'S TWO PEOPLE THAT THEY ARRESTED FOR NO
20 REASON, TWO PEOPLE THAT --

21 REPRESENTATIVE WILLIAMS: DID THEY TELL YOU
22 WHEN THEY ARRESTED YOU WHAT NAME YOU WERE SUPPOSED TO BE THAT
23 THEY WERE LOOKING FOR?

24 A. NO. THEY SAID, 'OH, YOU LOOK LIKE ONE OF
25 THEM.' THAT IS WHAT THEY SAID TO ME. THIS HASN'T BEEN THE

1 FIRST TIME. I HAVE BEEN ARRESTED SEVERAL TIMES SAYING THAT I
2 LOOK LIKE A MOVE MEMBER, YOU KNOW. I HAVE TO GO THROUGH ---
3 SEE, I AM SAYING LIKE THE OTHER BROTHER WHO WAS ARRESTED,
4 SPEAKING OF IDENTIFICATION, HE HAD IDENTIFICATION, BUT
5 NEVERTHELESS, THEY ARRESTED HIM.

6 AND I AM SAYING TOO THAT YOU ARE SUPPOSED TO
7 BE INNOCENT IN THIS COUNTRY UNTIL PROVEN GUILTY.

8 REPRESENTATIVE WILLIAMS: WHY DID THEY LET YOU
9 GO?

10 A. BECAUSE THEY WAITED UNTIL AFTER -- THEY GOT
11 THE PEOPLE FROM THE C.D. DEPARTMENT, CIVIL DISOBEDIENCE, TO
12 COME DOWN AND VERIFY THE FACT THAT I WAS NOT A MOVE MEMBER.
13 IF THEY ARE SUPPOSED TO BE LOOKING FOR SOMEBODY, THEY ARE
14 SUPPOSED TO KNOW WHO THEY ARE LOOKING FOR. IF I AM SUPPOSED
15 TO BE INNOCENT UNTIL PROVEN GUILTY, THEN I'M NOT SUPPOSED TO
16 BE ARRESTED UNTIL IT IS PROVEN THAT I HAVE DONE SOMETHING.

17 THIS IS PRECISELY EXPLANATORY OF EVERYTHING
18 IN THE MOVE --

19 REPRESENTATIVE WILLIAMS:

20 Q. MAY I ASK YOU A QUESTION?

21 A. YES, YOU MAY.

22 Q. IT IS MY UNDERSTANDING THEY ARE LOOKING FOR
23 MOVE MEMBERS BECAUSE THEY ARE VIOLATING THE COURT ORDER BY
24 STAYING AT THE MOVE HEADQUARTERS. IT SEEMS TO ME THEY KNOW
25 WHERE THEY ARE, OTHERWISE THEY WOULD HAVE NO REASON FOR

1 ARRESTING YOU.

2 A. RIGHT.

3 Q. THEY ARE THERE. THAT IS KIND OF STUPID.

4 A. I WOULD LIKE TO SAY ALSO AT THE COURT
5 HEARING WE HAD YESTERDAY OSCAR GASKINS WAS GIVEN CONTEMPT OF
6 COURT FOR BRINGING UP THAT SAME QUESTION, THAT SAME QUESTION.

7 Q. I HEARD THAT. BUT YOU KNOW -- IN OTHER
8 WORDS, THE PEOPLE THAT THE WARRANTS ARE FOR ARE SUPPOSED TO
9 BE THERE VIOLATING THE ORDER?

10 A. RIGHT.

11 Q. THERE WOULD BE NO NEED TO LOOK FOR YOU OR
12 ANYBODY ELSE ON THE OUTSIDE?

13 A. THAT IS RIGHT. ANYONE WHO WAS ON THE
14 OUTSIDE -- THEY ARRESTED SHARON PENN.

15 Q. SO THEY WEREN'T REALLY LOOKING FOR YOU OR
16 NECESSARILY OTHER MOVE MEMBERS, THEY JUST WANTED TO HARASS
17 YOU?

18 A. THEY JUST WANTED TO IMPLEMENT THE POWERS
19 THAT THEY HAVE.

20 JUDGE DIBONA, WHEN OSCAR GASKINS CONFRONTED
21 HIM WITH THE FACT -- WHEN HE SAID BEING IN VIOLATION OF THE
22 COURT ORDER, HE SIMPLY ASKED HIM, "WELL, WHO IS IN VIOLATION
23 OF THE COURT ORDER?" I AM SAYING HE ASKED HIM, "WELL, WHO
24 DID YOU SEE STILL BE IN THAT HOUSE? DID YOU SEE THIS PERSON
25 STILL BE IN THE HOUSE?" THEY SAID NO. BUT, SEE, HE ALLOWED

1 HIMSELF THE ABILITY TO ARREST ANY AND ALL MOVE MEMBERS.

2 I AM SAYING NOT ONLY IS THAT INCORRECT WITH
3 THE COURT ORDER, BUT HE ALLOWED HIMSELF NOT ONLY TO ARREST
4 ALL DREAD -- ALL PEOPLE WEARING DREADLOCKS --

5 CHAIRMAN RHODES: MR. JON, WILL YOU COMPLETE
6 YOUR TESTIMONY.

7 A. EXCUSE ME?

8 CHAIRMAN RHODES: ARE YOU FINISHED WITH YOUR
9 TESTIMONY?

10 A. YES, I HAVE.

11 CHAIRMAN RHODES: THANK YOU. BACK TO
12 REPRESENTATIVE WILLIAMS.

13 REPRESENTATIVE WILLIAMS, ANY FURTHER
14 QUESTIONS?

15 REPRESENTATIVE WILLIAMS:

16 Q. I HAVE MAINLY ONE QUESTION.

17 THE FIRST TIME THAT YOU REFERRED TO BEING
18 ARRESTED AND BEATEN UP AND EVERYTHING, BEING FOUND NOT GUILTY
19 OF THE ASSAULT AND BATTERY CHARGE, APPARENTLY YOU CHOSE TO
20 FIGHT BACK WHEN AN OFFICER IMPROPERLY TOUCHED YOU; IS THAT
21 RIGHT?

22 A. THAT IS RIGHT. I DEFENDED MYSELF, FULLY.

23 Q. AND YOU WERE FOUND NOT GUILTY NEVERTHELESS?

24 A. RIGHT. I WAS FOUND GUILTY AND GIVEN A
25 SUSPENDED SENTENCE UPON MY FIRST HEARING, BUT I TOOK A JURY

1 TRIAL AT WHICH TIME I WAS FOUND NOT GUILTY.

2 Q. KNOWING THE ATMOSPHERE THAT YOU ARE
3 GENERALLY DESCRIBING, WHY DID YOU CHOOSE TO FIGHT BACK?

4 A. I CHOOSE TO FIGHT BACK BECAUSE I WAS SENT
5 ALL THE WAY TO VIET NAM TO FIGHT IN DEFENSE, AND I AM NOT
6 GOING TO ALLOW NOBODY TO JUST BEAT ON ME, YOU KNOW, AS LONG
7 AS I HAVE A FREE HAND.

8 (APPLAUSE.)

9 I AM SAYING, YOU KNOW, THESE PEOPLE GO
10 AROUND BECAUSE THEY CALL THEMSELVES POLICE OFFICERS, THEY RUN
11 AROUND AND BEAT MY BROTHER, MY SISTER, AND MY MOTHER. I AM
12 SAYING IT IS THAT VERY SAME BEATING -- YOU SEE, I HAVEN'T
13 STOPPED FIGHTING BACK AS YET. THIS IS BEHIND THAT SAME
14 BEATING. IF I HADN'T BEEN BEAT I WOULDN'T BE HERE NOW. I AM
15 ALWAYS GOING TO FIGHT BACK.

16 AND THAT'S WHY I'LL ALWAYS STAND STRONG WITH
17 MOVE BECAUSE THEY WILL FIGHT BACK.

18 AND THIS PROBLEM HASN'T REALLY BEEN SOLVED.
19 THESE PEOPLE DON'T EVEN ACKNOWLEDGE THE PROBLEM. THAT MAN
20 MCCARDYth SAYS THAT THERE IS NO ABUSE. THEY JUST TRY TO BRUSH
21 IT UNDER THE RUG.

22 Q. HOW LONG WERE YOU IN VIET NAM?

23 A. I WAS IN VIET NAM FOR A YEAR AND A HALF.

24 Q. DO YOU KNOW ANY OTHER BLACK MALES WHO HAVE
25 BEEN TO VIET NAM OR SIMILAR PLACES WHO HAD THE SAME KIND OF

1 EXPERIENCE YOU DESCRIBED?

2 A. MOST OF THEM DO. IN FACT, WHILE I WAS IN
3 VIET NAM I DID TIME IN JAIL, L.B.J.

4 Q. YOU ARE SAYING MOST OF THE BROTHERS DO WHO
5 COME BACK?

6 A. YOU SEE, IF THEY ARE NOT TO THE POINT OF
7 BEING INFLUENCED TO TAKING DRUGS AND DRINKING WINE, YOU KNOW,
8 AND LOST IN SOME TRAPS OUT HERE, YES, THEY FEEL THE SAME WAY
9 I FEEL.

10 Q. LET ME ASK YOU A QUESTION: (KNOW IT SOUNDS
11 LIKE A RHETORICAL QUESTION, BUT I GUESS I AM MAKING A
12 STATEMENT AT THE SAME TIME.

13 DON'T YOU THINK THAT IS AN EXTREME INDIGNITY
14 TO ASK A MAN TO GO FIGHT FOR HIS COUNTRY AND THEN TO COME
15 BACK AND HAVE HIM SUBJECTED TO ILLEGAL VIOLENCE LIKE YOU
16 TALKED ABOUT BY THE POLICE, IN COMPLETE AND TOTAL DISREPECT?

17 A. I FEEL IT IS A DEFINITE INJUSTICE, THEY'RE
18 GOING TO SEND ME --

19 Q. I DIDN'T SAY INJUSTICE, I AM TALKING ABOUT
20 AN INDIGNITY TO HIS PERSON.

21 A. AN INDIGNITY, YES. IT IS A DEFINITE
22 INDIGNITY.

23 Q. DO YOU THINK THERE ARE A LOT OF YOUNG BLACK
24 MALES WHO FEEL THAT WAY?

25 A. YEAH. WELL, YEAH. THERE IS A LARGE

1 AWAKENING COMING ON RIGHT ABOUT NOW.

2 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS, ARE
3 YOU FINISHED?

4 REPRESENTATIVE WILLIAMS: YES.

5 CHAIRMAN RHODES: I THANK YOU REPRESENTATIVE
6 WILLIAMS.

7 REPRESENTATIVE DUMAS.

8 REPRESENTATIVE DUMAS:

9 Q. I WANT TO ASK ONE QUESTION.
10 YOU WERE FOUND NOT GUILTY AT YOUR JURY
11 TRIAL?

12 A. RIGHT.

13 Q. YOU MENTIONED THE FACT THAT YOU PUSHED THE
14 OFFICER'S HAND WHEN HE ATTEMPTED TO SEARCH YOU OR GO INTO
15 YOUR POCKET?

16 A. RIGHT. I MEAN, UNDER THE REGULATIONS OF
17 THE POLICE FORCE, IT IS NOT -- THEY DON'T HAVE THE RIGHT TO
18 GO IN YOUR POCKETS ANYWAY.

19 Q. I UNDERSTAND.

20 I UNDERSTAND WHEN THE ASSIST OFFICERS
21 ARRIVED IT WAS A FIGHT GOING ON BETWEEN YOU AND THE OFFICER
22 WHO ATTEMPTED TO GO INTO YOUR POCKET?

23 A. NO. THERE WAS A SECOND OFFICER THERE. WE
24 FOUGHT TO THE POINT THAT I HAD HIM DOWN ON THE GROUND AND I
25 WAS BEATING HIM. AND LIKE IT CAME TO THE POINT THAT I EITHER

1 HAD --

2 CHAIRMAN RHODES: YOU UNDERSTAND THIS IS A
3 PUBLIC RECORD?

4 A. -- TO DO HIM UP OR LEAVE HIM ALONE, AT WHICH
5 POINT I JUST LEFT HIM ALONE AND I JUST WENT INTO A PROTECTIVE
6 POSITION. AT WHICH TIME THIS OFFICER AND ANOTHER OFFICER
7 JUMPED ON ME AND BEAT ME WITH STICKS.

8 REPRESENTATIVE DUMAS:

9 Q. WHEN YOU PUSHED HIS HAND, AT THAT TIME DID
10 HE STRIKE YOU OR YOU STRUCK HIM OR HE ATTEMPTED TO GO INTO
11 YOUR POCKET AGAIN?

12 A. WHEN I PUSHED HIS HANDS OFF HE YELLED, "YOU
13 STRUCK AN OFFICER." AT WHICH POINT THEN I DON'T REMEMBER WHO
14 STRUCK THE NEXT BLOW. IT WAS AN UNDERSTANDING IT WAS A FIGHT
15 THERE.

16 REPRESENTATIVE DUMAS: THANK YOU.

17 CHAIRMAN RHODES: REPRESENTATIVE OLIVER.

18 REPRESENTATIVE OLIVER: NO QUESTIONS.

19 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

20 REPRESENTATIVE RICHARDSON:

21 Q. WHAT YOU BRING TO US IS VERY SERIOUS,
22 BROTHER JON. I WANT TO MAKE SURE THAT IT GETS COVERED IN THE
23 TESTIMONY.

24 HOW OLD ARE YOU?

25 A. TWENTY-EIGHT

1 Q. THEREFORE -- HOW LONG HAVE YOU LIVED IN THE
2 CITY?

3 A. I HAVE LIVED IN THIS CITY ALL MY LIFE. THE
4 ONLY TIME I HAVE BEEN OUT WAS WHILE I WAS IN THE SERVICE.

5 Q. AND THE SITUATION WITH MOVE AND THE
6 SITUATION THAT SURROUNDS THE CITY RELEVANT TO POLICE VIOLENCE
7 IN THE CITY OF PHILADELPHIA, THE COMMITTEE HAS COME TO
8 PHILADELPHIA TO HEAR TESTIMONY FROM PERSONS IN THE COMMUNITY
9 ABOUT THIS PROBLEM.

10 WHAT RECOMMENDATIONS CAN YOU MAKE TO THIS
11 COMMITTEE, IF YOU WOULD MAKE ANY, KNOWING THE PROBLEMS OF THE
12 CITY OF PHILADELPHIA SURROUNDED BY POLICE VIOLENCE?

13 A. ONE THING AS I SAY, TOM MCCARRYTH OF THE
14 F.O.P. RUNS AROUND GOING TO DIFFERENT TELEVISION PLACES AND
15 WHAT-NOT, STATING ON PUBLIC AIR THAT HE KNOWS NOTHING ABOUT
16 POLICE ABUSE. I AM SAYING THIS AIN'T NOTHING BUT
17 IRRESPONSIBILITY.

18 THEY ARE TRYING TO PASS A BILL SAYING THE
19 PARENTS ARE RESPONSIBLE FOR THE DEEDS OF THEIR CHILDREN.
20 WELL THEN, THESE PEOPLE ARE GOING TO HAVE TO START BEING
21 RESPONSIBLE FOR THE ACTS OF THEIR POLICE. (IF THEY ARE
22 SUPPOSED TO BE A PROTECTIVE AGENCY, THEN PROTECTION IS WHAT
23 THEY HAVE GOT TO GIVE YOU.

24 THIS THING OF RUNNING AROUND HERE -- IF I
25 WERE TO GO OUT AND BEAT SOMEBODY UPSIDE THE HEAD OR SOMEBODY

1 FROM MY FAMILY BEAT SOMEBODY UPSIDE THE HEAD, I COULDN'T SAY
2 IT WAS NOTHING DONE AND I COULDN'T JUST BE IRRESPONSIBLE
3 ABOUT THE WHOLE THING.

4 THESE PEOPLE ARE BEING PAID TO PROTECT YOU.

5 I DON'T KNOW, TO MAKE THE LAW, LIKE I HEARD
6 IT SAID BEFORE IT WOULDN'T DO ANY GOOD TO MAKE A LAW TO
7 OVERRIDE THE POLICE DUE TO THE FACT THEY DON'T OBEY THE LAWS
8 THAT ARE PRESENTLY HERE. I AM SAYING TO BEAT PEOPLE IN THE
9 HEAD AND WHAT-NOT IS NOT WITHIN THE LAW FOR THEM. THAT IS
10 NOT SUPPOSED TO BE FOR THEM. WHEN I WAS BEAT UPSIDE THE
11 HEAD, I WAS IMMEDIATELY PLACED UPON SOME ACTION.

12 ONE SUGGESTION I COULD GIVE YOU: THERE
13 SHOULD BE IMMEDIATE ACTION IN REVERSE PLACED UPON THE POLICE
14 WHENEVER A PERSON IS FOUND TO BE NOT GUILTY. I AM SAYING IF
15 I WAS BEAT UP -- IT WAS A DEFINITE FACT I WAS BEAT UP. THERE
16 WAS NO QUESTION ABOUT MY INJURIES THAT I SECURED IN MY
17 BEATING; WHEREIN IT WAS A QUESTION ABOUT THE BEATING THAT WAS
18 RECEIVED BY THE POLICE OFFICER.

19 AND I AM SAYING THAT ALTHOUGH -- NOW HE WAS
20 FOUND NOT GUILTY -- I WAS FOUND NOT GUILTY OF BEATING HIM.
21 HOW WAS IT IT WASN'T A QUESTION OF "WHY DID YOU BEAT HIM
22 THEN?" I AM SAYING IF I DIDN'T DO ANYTHING WRONG TO JUSTIFY
23 HIS BEATING OF ME, WHY WAS I BEATEN, YOU KNOW? IF I DIDN'T
24 COMMIT ANY CRIME, IF I DIDN'T ASSAULT AND BATTER HIM, WHY WAS
25 I BROUGHT IN?

1 I AM SAYING THEY ARE GOING AGAINST THEIR OWN
2 LAW. WE HAVE GOT TO MAKE THEM LIVE UP TO WHAT THEY ARE
3 PUTTING DOWN.

4 Q. DO YOU FEEL -- IN YOUR CASE DO YOU FEEL
5 THAT YOUR CASE WAS TRIED FAIRLY?

6 A. TRIED FAIRLY? WELL, WHEN I FIRST -- UPON
7 THE FIRST COURT THAT I WENT TO, WHEN I WAS FOUND GUILTY OF
8 ASSAULT AND BATTERY UPON THE POLICE AND I WAS GIVEN A
9 SUSPENDED SENTENCE --

10 U. BY A JUDGE?

11 A. BY A JUDGE. THE JUDGE SAID I HAD SUFFERED
12 ENOUGH -- NO, HE SAID I HAD PAID ENOUGH.

13 I AM SAYING I HAD SEVERAL WITNESSES AND
14 WHAT-NOT. I HAD SEVERAL WITNESSES WITH REGARDS TO WHAT
15 OCCURRED.

16 Q. WHAT DO YOU FEEL THE INTENSITY AT THIS POINT
17 IS AROUND YOU BEING STOPPED TODAY A FEW BLOCKS AWAY FROM THIS
18 HEARING, COMING TO TESTIFY ABOUT THE PROBLEMS THAT ARE GOING
19 ON AS YOU HAVE DESCRIBED THEM? WHAT DO YOU FEEL THE PULSE OF
20 THE COMMUNITY IS IN RELATIONSHIP TO THAT?

21 A. I WILL TELL YOU LIKE WHAT IS GOING ON. I
22 THINK THERE IS A FEW PEOPLE IN GOVERNMENT TRYING TO SPEAK FOR
23 ALL THE PEOPLE AND WHAT-NOT. THESE PEOPLE ARE ONLY SUPPOSED
24 TO BE SPEAKING FOR THE PEOPLE AND WHAT-NOT. I SAY WHAT THEY
25 ARE TRYING TO DO IS NOT IN SENTIMENT WITH THE PEOPLE. LIKE

1 THEY ARE RUNNING AROUND HERE GRABBING AND HARASSING EVERY
2 PERSON THEY FIND WITH NAPPY HEADS, IS JUST GOING TO CAUSE US
3 TO GET RIGHT. THESE ARE THINGS THAT CAUSE US TO GET
4 TOGETHER. THEY LEAVE NO ALTERNATIVES.

5 IF DON'T NOBODY STOP THE PULICE FROM BEATING
6 US, THEN WE ARE GOING TO HAVE TO STOP THEM FROM BEATING US.
7 EITHER THEY IMPLEMENT SOME MEANS OF DOING AWAY WITH THEIR
8 INJUSTICES AND THIS WRONGDOING THAT'S DONE TO US, OR WE HAVE
9 TO DO IT, BECAUSE IT IS GOING TO BE DONE.

10 (APPLAUSE.)

11 Q. ONE FINAL QUESTION: PRIOR TO THE INCIDENTS
12 IN RELATIONSHIP WITH YOUR ARRESTS, HAVE YOU EVER BEEN
13 ARRESTED BEFORE?

14 A. PRIOR TO THE BEATING, YEAH, I HAVE BEEN
15 ARRESTED BEFORE.

16 Q. HAVE YOU EVER BEEN CONVICTED? IN OTHER
17 WORDS, DID YOU SERVE ANY TIME?

18 A. YEAH. WELL, I AM PRESENTLY RIGHT NOW ON
19 THREE YEARS PROBATION. I WAS AKRESTED AND CONVICTED OF A
20 CRIME THAT I KNOW NOTHING ABOUT.

21 JUST LIKE THE JUKY OR WHATEVER -- THIS IS
22 WHY I AM SAYING LIKE I TOOK A JUKY TRIAL ON MY ASSAULT AND
23 BATTERY ON THE POLICE. I AM SAYING THAT I WAS ARRESTED
24 BEFORE AND GIVEN THREE YEARS PROBATION FOR SOMETHING I KNEW
25 NOTHING ABOUT.

1 I SPENT EIGHT DAYS IN JAIL KNOWING I WAS
2 SUPPOSED TO BE THERE FOR A ROBBERY, BUT NOT KNOWING WHERE,
3 NOT KNOWING WHEN, NOT KNOWING WHO. AND I SAID FROM THAT TIME
4 FORTH THAT THEY WASN'T GOING TO RAILROAD ME NO MORE.

5 I AM SAYING ANY TIME I DEAL WITH THE LAW, WE
6 ARE GOING ALL THE WAY. I AM FIGHTING IT FROM THE BEGINNING
7 TO THE END. I AM NOT ALLOWING THEM TO JUST PUT ME IN JAIL
8 AND JUST DO ME UP.

9 I AM SAYING I BECAME AWARE OF THE LAW. I
10 UNDERSTAND WHAT I AM DEALING WITH, AND I UNDERSTAND WHO I AM
11 DEALING WITH; AND I AM NOT ALLOWING THEM.

12 REPRESENTATIVE RICHARDSON: THANK YOU VERY
13 MUCH.

14 CHAIRMAN RHODES: I ADVISE YOU MEMBERS WE WILL
15 BE HERE -- I WILL BE SHOWING A DISCOURTESY TO THE PEOPLE WHO
16 WANT TO TESTIFY BEFORE US IF WE DO NOT LIMIT OUR QUESTIONS TO
17 WITNESSES.

18 REPRESENTATIVE WHITE:

19 REPRESENTATIVE WHITE: I HAVE NO QUESTIONS.

20 CHAIRMAN RHODES: REPRESENTATIVE JOHNSON.

21 REPRESENTATIVE JOHNSON: NO.

22 CHAIRMAN RHODES: THANK YOU.

23 A. CAN I SAY ONE THING?

24 CHAIRMAN RHODES: YES.

25 A. THE MOVE ORGANIZATION IS AN ORGANIZATION

1 THAT IS NOT GOING TO ALLOW THESE POLICEMEN TO BEAT ON THEM OR
2 ABUSE THEM.

3 I AM SAYING OUR ONLY DEFENSE IS TO STAND UP
4 FOR OURSELVES; AND THE MOVE ORGANIZATION IS TAKING THAT STAND
5 AND MAKING THAT STAND IN REGARD TO THE COMMUNITY. I AM
6 SAYING IF WE ALLOW THE MOVE ORGANIZATION TO BE DONE UP, IF WE
7 ALLOW THEM TO BE PUT DOWN, THEN WE ARE DOING AWAY WITH OUR
8 OWN SELVES, THE ONLY POSSIBILITY WE HAVE OF ANY
9 SELF-PROTECTION.

10 I AM SAYING THAT THE SUBJECTION THEY ARE
11 PUTTING ON MOVE, I AM SAYING IT IS SELF-PROTECTION IS WHAT IS
12 GOING ON OUT THERE. THAT IS THE ONLY CRIME THAT THE MOVE
13 ORGANIZATION HAS COMMITTED.

14 CHAIRMAN RHODES: THANK YOU.

15 (APPLAUSE.)

16 REPRESENTATIVE WILLIAMS: I WOULD LIKE TO ASK
17 YOU A QUESTION.

18 REPRESENTATIVE WILLIAMS:

19 Q. YOU SAID YOU WERE CONVICTED --

20 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS HAS A
21 QUESTION TO ASK YOU, MR. JON.

22 REPRESENTATIVE WILLIAMS:

23 Q. YOU SAID YOU WERE CONVICTED OF A ROBBERY YOU
24 KNEW NOTHING ABOUT. IS THERE ANYTHING YOU CAN TELL US ABOUT
25 THAT AS PART OF YOUR STATEMENT AS TO WHAT HAPPENED TO YOU AT

1 THE POLICE PRECINCT?

2 A. I WAS WALKING DOWN THE STREET ONE DAY AND I
3 WAS PICKED UP 20 DAYS AFTER A SO-CALLED ROBBERY WAS
4 COMMITTED. I WAS PICKED UP BY A POLICE OFFICER AND I WAS
5 TAKEN IN AND I WAS HELD -- THERE WAS NO LINEUP, THERE WAS
6 NOTHING OF THIS NATURE THAT OCCURRED.

7 ALL RIGHT, SO I WAS ARRESTED. I WAS TAKEN
8 DOWN. I WAS PLACED ON \$5,000 --

9 Q. IS THERE ANY REASON WHY YOU DIDN'T TELL US
10 ABOUT IT -- I DIDN'T ASK YOU WHAT HAPPENED -- AS PART OF YOUR
11 STATEMENT AS TO WHAT HAPPENED?

12 A. IF IT WOULD BE YOUR DESIRE FOR ME TO TELL
13 YOU ABOUT IT, I WILL BE FULLY OPEN AND FREE TO TELL YOU ABOUT
14 IT.

15 Q. I WASN'T INTERESTED IN THAT REALLY; BUT
16 SOMETIMES THERE IS A RECORD AND SOMETIMES PEOPLE EVALUATE
17 THINGS BASED ON MOTIVATION. I WAS WONDERING IF THERE WAS ANY
18 REASON WHY YOU DIDN'T INCLUDE THAT AS PART OF YOUR CONCERN
19 ABOUT WHAT THE POLICE DID?

20 A. OH, BECAUSE THAT WAS BASICALLY -- I DON'T
21 FEEL AS THOUGH I WAS BASICALLY DONE AN INJUSTICE BY THE
22 POLICE DEPARTMENT AT THAT TIME. I BELIEVE MY INJUSTICE WAS
23 BEING DONE BY THE COURTS.

24 Q. OKAY. I THINK THAT CLEARS UP THE RECORD SO
25 NOBODY WILL LOOK SUSPICIOUSLY ON YOUR TESTIMONY.

1 I THINK THAT SHOULD BE CLEARED UP IN THE
2 RECORD.

3 A. THANK YOU.

4 (WITNESS EXCUSED.)

5 CHAIRMAN RHODES: YOU WERE GOING TO TESTIFY
6 WITH MR. JON?

7 MS. ALI: I DON'T REALLY SIT DOWN TO TESTIFY.
8 I AM REALLY NOT INTO TESTIFYING. I REALLY WANTED TO MORE OR
9 LESS --

10 CHAIRMAN RHODES: ARE YOU GOING TO TESTIFY
11 ABOUT POLICE BRUTALITY?

12 MS. ALI: ABOUT POLICE BRUTALITY?

13 CHAIRMAN RHODES: YES.

14 MS. ALI: WELL, I DON'T THINK IT'S THAT EASY TO
15 TESTIFY WHEN I KNOW THAT EVERYBODY KNOWS THAT IT'S ALIVE AND
16 THRIVING.

17 CHAIRMAN RHODES: ARE YOU GOING TO TESTIFY
18 ABOUT POLICE BRUTALITY?

19 MS. ALI: OKAY, I WILL.

20 CHAIRMAN RHODES: HAVE A SEAT.

21 MS. ALI: I WILL STAND.

22 CHAIRMAN RHODES: DO YOU ACKNOWLEDGE YOU HAVE
23 IN YOUR POSSESSION A SUBPOENA TO APPEAR BEFORE THE
24 SUBCOMMITTEE OF THE HOUSE?

25 MS. ALI: YES.

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ELISHEBA SHABAZZ ALI, AFFIRMED.

CHAIRMAN RHODES: YOU MAY PROCEED.

A. WELL, NOW, THE TRUTH SO FAR AS I HAVE SEEN
IT HAS BEEN THE PEOPLE HAVE --

CHAIRMAN RHODES: I AM SORRY, WILL YOU STATE
YOUR NAME AND YOUR ADDRESS FOR THE RECORD.

A. MY NAME IS SISTER ELISHEBA SHABAZZ.

CHAIRMAN RHODES: YOUR ADDRESS?

A. 1902 JUDSON STREET.

CHAIRMAN RHODES: NOW YOU MAY SPEAK.

A. MY INTEREST IS WHAT'S GOING TO BE DONE. I
HEARD THE PEOPLE COMING UP AND BEARING THEIR WOUNDS AND
OPENING UP THEIR WOUNDS CONSTANTLY TO SAY WHAT HAS HAPPENED
TO THEM IN THEIR LIVES, THEIR CHILDREN HAVE DIED, THIS HAS
HAPPENED, THAT HAS HAPPENED. WHAT CAN BE DONE?

I HAVE ACTUALLY BEEN TO COMMUNITY
ORGANIZATIONS WHERE I HAVE SEEN EACH ONE OF YOU BEING HEARD,
YOU KNOW, UP ON THE STAGE, WHATEVER, IN THE POSITION OF
HELPING THE PEOPLE; BUT YET I HAVEN'T REALLY SEEN WHAT HAS
HAPPENED, YOU KNOW. AND I AM ASKING WHAT IS GOING TO BE DONE
BY ANY OF YOU, ALL RIGHT? IS THIS JUST GOING TO BE SOMETHING
THAT IS GOING TO CONTINUE EVERY YEAR, THEY ARE GOING TO HAVE
POLICE BRUTALITY MEETINGS AND TO NO AVAIL?

I MEAN LAST YEAR THIS TIME THE EXACT SAME

1 THING HAPPENED.

2 REPRESENTATIVE WILLIAMS: THIS DIDN'T HAPPEN
3 LAST YEAR. THIS HAS NEVER HAPPENED IN THE HISTORY OF THE
4 STATE OF PENNSYLVANIA.

5 A. NEVER POLICE BRUTALITY?

6 REPRESENTATIVE WILLIAMS: NEVER HAS --

7 REPRESENTATIVE WHITE: THIS IS THE FIRST TIME
8 BY THE HOUSE OF REPRESENTATIVES.

9 A. WHAT ARE YOU GOING TO BE ABLE TO DO?

10 CHAIRMAN RHODES: MRS. ALI --

11 A. SISTER ELISHEBA SHABAZZ ALI.

12 CHAIRMAN RHODES: SISTER ALI, THIS IS A DULY
13 CONSTITUTED INVESTIGATION WITH SUBPOENA POWER OF THE HOUSE OF
14 REPRESENTATIVES OF THE COMMONWEALTH OF PENNSYLVANIA.

15 A. YES.

16 CHAIRMAN RHODES: OUR AIM IN HOLDING THIS
17 HEARING IS TO DETERMINE, PURSUANT TO RESOLUTION 109 WHICH
18 AUTHORIZES THIS INVESTIGATION, WHETHER OR NOT THERE IS A
19 SERIOUS PROBLEM OF POLICE VIOLATION OF CIVIL RIGHTS OF
20 CITIZENS OF THIS CITY.

21 A. OKAY.

22 CHAIRMAN RHODES: IF, BY DIRECT TESTIMONY OF
23 INDIVIDUALS WHO SO FAR TESTIFIED BEFORE THE SUBCOMMITTEE AND
24 WILL IN THE FUTURE TESTIFIED TO THIS SUBCOMMITTEE, IT IS
25 DETERMINED BY THIS SUBCOMMITTEE THERE IS A GRAVE AND SERIOUS

1 PROBLEM OF POLICE VIOLATION OF THE CIVIL RIGHTS OF THE
2 CITIZENS OF THIS CITY, THEN THIS COMMITTEE CAN RECOMMEND
3 EXTRAORDINARY ACTIONS TO THE GOVERNOR OF THE STATE, TO THE
4 ATTORNEY GENERAL OF THIS STATE, TO THE ADJUTANT GENERAL OF
5 THIS STATE, TO THE LEGISLATURE OF THIS STATE TO PASS LAWS,
6 TAKE EXECUTIVE ACTION, WHATEVER IS NECESSARY TO GUARANTEE
7 THAT THE CITIZENS OF PENNSYLVANIA WHO HAPPEN TO BE CITIZENS
8 OF THIS CITY ARE NOT ABUSED.

9 A. I WOULD HAVE TO CUT YOU OFF.

10 CHAIRMAN RHODES: THAT IS WHAT THIS
11 INVESTIGATION IS.

12 A. I HAVE REALLY HEARD ALL OF THIS BEFORE. AND
13 IT STILL HAPPENS THAT POLICE BRUTALITY IS STILL ALIVE AND
14 THRIVING, NOTHING HAS BEEN DONE.

15 CHAIRMAN RHODES: THAT IS ALL WE CAN TELL YOU.
16 DO YOU HAVE ANY --

17 A. NOW, I AM ASKING YOU ARE YOU GOING TO DEAL
18 WITH SOMETHING THAT IS QUITE PRESENT AND SOMETHING THAT IS
19 HAPPENING RIGHT NOW? I AM SURE JUST ABOUT ALL OF THE OTHER
20 CASES WERE LAST WEEK, LAST MONTH, LAST YEAR.

21 THIS IS SOMETHING THAT IS HAPPENING NOW, THE
22 MOVE GROUP. THEIR CONSTITUTIONAL RIGHTS HAVE BEEN VIOLATED,
23 THEIR CIVIL RIGHTS HAVE BEEN VIOLATED, AND THEIR HUMAN
24 RIGHTS. I CAN GET INTO CONSTITUTIONAL RIGHTS BECAUSE THEY
25 GAVE ME THE CONSTITUTIONAL RIGHTS AND THEY HAVEN'T LIVED UP

1 TO THEM. YOU DON'T EVEN WORRY ABOUT THAT. THE CIVIL RIGHTS,
2 OKAY. HUMAN RIGHTS WASN'T EVEN GIVEN TO YOU BY THEM, SO
3 THEREFORE, THEY CAN'T EVEN GUARANTEE IT.

4 WHAT IS GOING TO BE DONE FOR THOSE PEOPLE
5 OUT THERE? NOW THEY HAVE SUFFERED POLICE BRUTALITY. IF YOU
6 WANT ENDORSEMENTS OF POLICE BRUTALITY I AM SURE ALL OF THEM
7 WILL GIVE IT TO YOU, ALL OF THEM.

8 CHAIRMAN RHODES: SISTER ALI --

9 A. ALI.

10 CHAIRMAN RHODES: DO YOU HAVE PERSONAL
11 KNOWLEDGE OF INCIDENTS OF POLICE VIOLATIONS OF CIVIL RIGHTS
12 TO CITIZENS OF THE CITY OF PHILADELPHIA THAT YOU WANT TO GIVE
13 US?

14 A. PERSONALLY, NO. PERSONALLY, NO; BECAUSE YOU
15 KNOW WHAT, THERE IS NOTHING THAT I WOULD ACTUALLY ALLOW A
16 POLICEMAN TO DO TO ME.

17 CHAIRMAN RHODES: WELL, WE MUST MOVE ON. WE
18 HAVE PEOPLE WHO DO WANT TO TESTIFY.

19 A. I WANT TO KNOW WHAT ARE YOU GOING TO DO FOR
20 THOSE PEOPLE?

21 CHAIRMAN RHODES: WE ARE NOT HERE TO ANSWER
22 QUESTIONS.

23 A. YOU ARE NOT HERE TO ANSWER QUESTIONS?

24 CHAIRMAN RHODES: WE ARE HERE TO DETERMINE FOR
25 THE RECORD OF THIS COMMITTEE WHETHER OR NOT THERE IS A

1 PROBLEM IN THIS CITY; AND WE ARE ASKING PEOPLE TO COME
2 FORWARD TO TESTIFY.

3 (DISCUSSION OFF THE RECORD.)

4 (PAUSE.)

5 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS OR
6 RICHARDSON CAN MAKE A STATEMENT.

7 DO YOU WANT TO MAKE A STATEMENT?

8 REPRESENTATIVE WILLIAMS: SISTER, I WANT TO SAY
9 THIS IN RESPONSE TO THE QUESTIONS, I DON'T KNOW WHETHER I
10 WILL SATISFY YOU:

11 THIS COMMITTEE HERE IS A STATE COMMITTEE TO
12 INVESTIGATE CIVIL RIGHTS VIOLATIONS. IT IS HERE ONLY BECAUSE
13 A LOT OF US THINK THERE ARE OR MAY BE, I DON'T WANT TO GET
14 INTO THAT.

15 WE ARE CONDUCTING A HEARING TO COLLECT
16 INFORMATION FOR TWO REASONS, AS I SEE IT: ONE FOR
17 LEGISLATIVE AND OTHER KINDS OF RECOMMENDATIONS AND TWO,
18 HOPEFULLY TO BE AWARE OF THE FACT THAT IT EXISTS BECAUSE --

19 A. WELL --

20 REPRESENTATIVE WILLIAMS: LET ME FINISH --
21 BECAUSE MOST INSTITUTIONS THAT RUN THE SYSTEM DON'T BELIEVE
22 THAT, OUR PEOPLE DON'T BELIEVE THAT.

23 NOW, THAT MIGHT NOT SAY MUCH TO YOU.

24 A. NO, IT DOESN'T.

25 REPRESENTATIVE WILLIAMS: I WANT TO SAY ONE

1 ADDITIONAL THING TO YOU. WHATEVER LITTLE THIS IS, WHATEVER
2 LITTLE THIS IS, AND I KNOW NONE OF US HERE IS GOD, WE FOUGHT
3 VERY HARD TO HAVE IT BE. AND YOU WILL HEAR A LOT OF PEOPLE
4 COME BECAUSE THEY WANT TO SAY WE HOPE THERE IS SOME HOPE. I
5 DON'T BELIEVE IN DOING NOTHING. WHEN PEOPLE FIGHT YOU HARD
6 FOR ONE STEP, SOMETHING IS GOING ON.

7 NOW THAT MIGHT NOT SATISFY YOU BUT WE ARE
8 HERE, NOT ONLY SINCERELY, TO HOPEFULLY PROVIDE SOME HOPE.
9 THERE IS NO GUARANTEE BUT SOMEWHERE, SOMETIME, SOME PEOPLE
10 HAVE TO TURN THIS PROBLEM AROUND. WE JUST STARTED. OKAY.

11 (APPLAUSE.)

12 WITH ALL DUE RESPECT TO WHAT YOU SAID, A LOT
13 US UP HERE HAVE HAD THE SAME PROBLEM YOU HAVE HAD IN OUR
14 FAMILIES TOO. THIS IS NOT ABOUT ANY SPECIAL GROUP, ALL
15 RIGHT?

16 A. BUT WE CAN TURN IT AROUND?

17 REPRESENTATIVE WILLIAMS: THIS IS ABOUT
18 EVERYBODY, BLACK, WHITE, YOUNG --

19 A. AS A MATTER OF FACT, SO FAR AS I AM
20 CONCERNED AS LONG AS YOU ARE GOING TO DEAL WITH POLICE
21 BRUTALITY AND CONTINUE TO HAVE THE PERPETRATOR OF THAT
22 BRUTALITY IN THE MAYOR'S SEAT, THEN YOU ARE NOT DEALING WITH
23 POLICE BRUTALITY.

24 REPRESENTATIVE WILLIAMS: GO TELL HIM THAT.
25 WE'RE NOT GOD. WE ARE JUST TRYING.

1 A. I AM ASKING YOU TO GO TELL HIM THAT IF YOU
2 ARE GOING TO BE A STATE REPRESENTATIVE AND REPRESENT THE
3 PEOPLE OF THE STATE --

4 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON
5 WOULD LIKE TO MAKE A STATEMENT.

6 REPRESENTATIVE WILLIAMS: REPRESENTATIVE
7 RICHARDSON WOULD LIKE TO SAY SOMETHING AT THIS TIME.

8 REPRESENTATIVE RICHARDSON: I JUST WANT TO SAY
9 THE INQUIRY MADE BY SISTER ALI TO THIS COMMITTEE SHOULD NOT
10 BE TAKEN LIGHTLY AS ANY OTHER PERSON TESTIFYING BEFORE THIS
11 COMMITTEE. SHE HAS ASKED US LEGITIMATELY WHETHER OR NOT WE
12 WOULD AS A COMMITTEE LOOK INTO THE SITUATION INVOLVING THE
13 INJUSTICES OF THE MOVE ORGANIZATION, PERHAPS THE CIVIL
14 VIOLENCE AND CIVIL DISORDERS OUT THERE AT MOVE HEADQUARTERS.
15 I DO NOT THINK THAT WE CAN JUST SIT BY, MR. CHAIRMAN, AND NOT
16 DEAL WITH THE REQUESTS THAT HAVE BEEN MADE BY SISTER ALI.

17 WHAT I WOULD SUGGEST THOUGH, MR. CHAIRMAN,
18 IS THAT THIS COMMITTEE, SINCE IT IS HERE IN THE CITY OF
19 PHILADELPHIA AND IS HOLDING AN INVESTIGATION CONCERNING THIS
20 MATTER, GO ON RECORD TO SPECIFICALLY -- ALSO AS WE ARE DOING
21 WITH THIS WHOLE QUESTION OF POLICE VIOLENCE -- LOOK INTO THE
22 MOVE SITUATION RELEVANT TO THE QUESTIONS BEING RAISED BY THE
23 SISTER. I DON'T THINK THERE IS ANY WAY OUT OF THE WAY WHAT
24 SHE HAS ASKED NOR IS IT A VIOLATION OF WHAT THIS COMMITTEE'S
25 RESPONSIBILITY IS WHILE WE ARE HERE IN THE CITY OF

1 PHILADELPHIA.

2 I WOULD SO MOVE --

3 CHAIRMAN RHODES: WE ARE NOT IN A MEETING.

4 REPRESENTATIVE RICHARDSON: IF WE ARE NOT IN A
5 MEETING, I WOULD LIKE TO PLACE ON THE RECORD I WOULD LIKE TO
6 MAKE A RECOMMENDATION TO THIS COMMITTEE THAT WE DO JUST THAT
7 WHILE WE ARE HERE IN THE CITY OF PHILADELPHIA. I DO NOT
8 THINK HER REQUEST IS SOMETHING THAT WE SHOULD PLAY DOWN.

9 REPRESENTATIVE WILLIAMS: MAY I ASK --

10 A. I WANT TO ASK A QUESTION: DO YOU HAVE THE
11 POWER TO DO ANYTHING?

12 CHAIRMAN RHODES: THE QUESTION IS OUT OF ORDER.

13 A. CAN YOU DO ANYTHING? I MEAN CAN YOU DO
14 ANYTHING OTHER THAN SIT THERE AND BECOME THE PUPPETS OF THE
15 PUPPETEER? I MEAN, CAN YOU DO ANYTHING?

16 CHAIRMAN RHODES: REPRESENTATIVE WHITE, DO YOU
17 WANT TO MAKE A STATEMENT.

18 REPRESENTATIVE WHITE: I DO.

19 THIS COMMITTEE HAS THE POWER AUTHORIZED BY
20 THE HOUSE OF REPRESENTATIVES; AND EACH MEMBER OF THAT HOUSE
21 -- THOSE WHO VOTED FOR AND THOSE WHO VOTED AGAINST THIS
22 INVESTIGATION, THE POWER, THE SUBPOENA POWER TO CONDUCT THIS
23 INVESTIGATION -- IS LOOKING TO SEE EXACTLY WHAT THE OUTCOME
24 OF OUR HEARINGS ARE GOING TO BE.

25 REPRESENTATIVE WILLIAMS POINTED OUT THAT WE

1 HAVE HAD TO FIGHT AND STRUGGLE EACH STEP OF THE WAY. WE HAD
2 TO FIGHT IN ORDER TO GET CRIMINAL VIOLATIONS BY LAW
3 ENFORCEMENT OFFICIALS INCLUDED IN THE RESOLUTION FROM THE
4 VERY BEGINNING BECAUSE THERE ARE INDIVIDUALS WHO SIT ON THIS
5 COMMITTEE WHO ARE MORE INTERESTED IN PROTECTING THE INTEGRITY
6 OF THE LEADERSHIP OF THIS CITY -- WHO HAVE NOT BEEN TO ONE
7 HEARING, NOT ONE -- THAN THEY ARE IN PROTECTING THE RIGHTS OF
8 CITIZENS.

9 NOW, THOSE OF US WHO FEEL CONTRARY TO THAT
10 HAVE TRIED AS BEST WE COULD NOT TO WAIVER ONE IOTA IN THE
11 RESPONSIBILITY WITH WHICH WE WERE CHARGED, AND THAT IS TO
12 INVESTIGATE VIOLATIONS OF CIVIL RIGHTS OF INDIVIDUALS BY LAW
13 ENFORCEMENT OFFICIALS AT THE TOP OF THAT LIST FROM THE
14 OUTSET. IT IS FOR US TO TAKE A LOOK AT THE ALLEGED ABUSE
15 CASES HERE IN PHILADELPHIA.

16 I SHARE PROBABLY THE SAME OPINION THAT YOU
17 DO WITH REGARD TO US CONDUCTING THESE HEARINGS; AT THE SAME
18 TIME ALMOST TOTALLY IGNORING THE FACT THAT PROBABLY RIGHT NOW
19 WHILE THESE HEARINGS ARE GOING ON THERE ARE INDIVIDUALS, MOVE
20 MEMBERS, THOSE SUSPECTED AS BEING MEMBERS OF THE MOVE
21 ORGANIZATION, AND THOSE WHO ARE FAR REMOVED FROM THE MOVE
22 SITUATION WHO ARE HAVING THEIR CIVIL RIGHTS VIOLATED BY LAW
23 ENFORCEMENT OFFICIALS.

24 BUT IT IS NOT GOING TO BE UNFILL WE CONCLUDE
25 THE HEARINGS, THE PUBLIC HEARINGS WITH REGARD TO CITIZENS

1 COMING FORWARD. HOPEFULLY FUKTHER HEARINGS THAT WE WILL
2 INVITE OFFICIALS TO COME IN AND TO PRESENT TESTIMONY IN
3 DEFENSE, IN SOME CASES, OF SOME OF THE THINGS THAT PEOPLE
4 HAVE BEEN SAYING IN REGARD TO POLICE ABUSE. IT IS NOT GOING
5 TO BE FINISHED UNTIL WE COMPLETE THAT PHASE OF THE
6 INVESTIGATION, UNTIL A REPORT IS SUBMITTED TO THE HOUSE OF
7 REPRESENTATIVES, UNTIL LEGISLATION IS DRAFTED TO CURTAIL
8 POLICE VIOLENCE, AND LEGISLATURE CAN BE DRAFTED TO DO THAT.

9 WHEN YOU SPEAK OF THE LEADERSHIP OF THIS
10 CITY, NOT ONE STATE REPRESENTATIVE SITTING AT THIS PANEL HAS
11 THE POWER TO REMOVE FRANK RIZZO FROM OFFICE. IF IT IS GOING
12 TO HAPPEN, IT IS GOING TO HAPPEN BY THE PEOPLE OF THE CITY
13 DECIDING ON THEIR OWN THAT FRANK RIZZO SHOULD NOT BE THERE,
14 AND NOT ONE OF US HAS THE POWER TO REMOVE HIM AS AN
15 INDIVIDUAL.

16 BUT THAT IS A DECISION AND THAT IS A RIGHT
17 THAT EACH ONE OF US AS CITIZENS AT SOME POINT MUST EXERCISE.

18 TO ANSWER YOUR QUESTION IN TERMS OF WHAT
19 POWER WE HAVE, IT DOES NOT GO BEYOND WHAT WE HAVE SAID.

20 CHAIRMAN RHODES: WE WILL GO OFF THE RECORD FOR
21 A MOMENT.

22 (DISCUSSION OFF THE RECORD.)

23 (WITNESS EXCUSED.)

24 CHAIRMAN RHODES: BACK ON THE RECORD.

25 THE NEXT WITNESS BEFORE THE COMMITTEE IS MR.

1 NOTTAGE.

2 MR. NOTTAGE, DO YOU ACKNOWLEDGE THAT YOU
3 HAVE IN YOUR POSSESSION A SUBPOENA TO APPEAR BEFORE THIS
4 SUBCOMMITTEE?

5 MR. NOTTAGE: YES, I DO.

6 Q. THANK YOU.

7 ---

8 DAVID L. NOTTAGE, SWORN.

9 CHAIRMAN RHODES: MR. NOTTAGE, WOULD YOU STATE
10 YOUR NAME AND ADDRESS FOR THE RECORD?

11 A. MY NAME IS DAVID LIVINGSTON NOTTAGE.

12 CHAIRMAN RHODES: N-O-T-T-A-G-E?

13 A. YES, SIR.

14 CHAIRMAN RHODES: WHAT IS YOUR ADDRESS?

15 A. I RESIDE AT 417 WEST UPSAL STREET IN THE
16 CITY OF PHILADELPHIA, PENNSYLVANIA, WHICH FOR THE RECORD, IS
17 IN THE UNITED STATES OF AMERICA.

18 THESE HEARINGS IN PHILADELPHIA ON PUBLIC
19 CONDUCT BY THE --

20 CHAIRMAN RHODES:

21 Q. MR. NOTTAGE, DO YOU HAVE A SPECIFIC
22 INCIDENT YOU WOULD LIKE TO RELATE TO US?

23 A. I WOULD LIKE TO TESTIFY.

24 Q. A SPECIFIC INCIDENT THAT HAPPENED TO YOU?

25 A. OH, MANY INCIDENTS HAPPENED TO ME.

1 Q. CAN YOU RELATE TO US FROM MEMORY?

2 A. I WOULD RATHER TESTIFY. I HAVE IT HERE. I
3 HAVE MY TESTIMONY HERE.

4 Q. ALL RIGHT. GO AHEAD.

5 A. BUT THE LIGHTING IS RATHER BAD.

6 Q. MR. NOTTAGE, WOULD YOU LIKE TO BE CALLED
7 LATER TO GET YOUR RECORD STRAIGHT AND WE CAN RECALL YOU?

8 A. THAT WILL BE ALL RIGHT.

9 CHAIRMAN RHODES: IS MR. RALPH WYNDER HERE?

10 (NO RESPONSE.)

11 CHAIRMAN RHODES: IS MS. OR MRS. LUCILLE SIMMS
12 IN THE ROOM?

13 (PAUSE.)

14 CHAIRMAN RHODES:

15 Q. WE ARE BACK TO MR. NOTTAGE. DO YOU HAVE A
16 STATEMENT YOU WANT TO READ INTO THE RECORD, MR. NOTTAGE?

17 A. YES, I DO.

18 Q. GO AHEAD.

19 A. I WILL START OVER AGAIN.

20 MY NAME IS DAVID LIVINGSTON NOTTAGE AND I
21 RESIDE AT 417 WEST UPSAL STREET, IN THE CITY OF PHILADELPHIA,
22 PENNSYLVANIA, WHICH FOR THE RECORD IS IN THE UNITED STATES OF
23 AMERICA.

24 THESE HEARINGS IN PHILADELPHIA ON PUBLIC
25 CONDUCT BY THE STATE HOUSE OF REPRESENTATIVES SUBCOMMITTEE ON

1 CRIME AND CORRECTIONS WHICH IS A PART OF A STATEWIDE
2 INVESTIGATION INTO ORGANIZED CRIME, OFFICIAL CORRUPTION AND
3 CIVIL RIGHTS VIOLATIONS IS INDEED PRAISEWORTHY. AND I HIGHLY
4 COMMEND ALL THE MEMBERS OF THE SUBCOMMITTEE AS WELL AS ALL
5 THOSE HAVING ANY PART, NO MATTER HOW SMALL, IN MAKING THESE
6 HEARINGS POSSIBLE.

7 I COMMENT ALSO ALL THOSE PARTIPATING IN THE
8 STATEWIDE INVESTIGATION. I HAVE GREAT PRAISE FOR THE CLERGY
9 AND THEIR CONGREGATION AND THE OTHER ADMINISTRATORS FOR USE
10 OF THEIR AUDITORIUMS FOR MAKING THESE HEARINGS A REALITY.

11 I ALSO HOLD IN HIGHEST ESTEEM EACH WITNESS
12 AS WELL AS THOSE ATTENDING THE HEARINGS BECAUSE HAVING TO
13 PUBLICLY RELIVE EVENTS OF THEIR PAST EXPERIENCES MUST INDEED
14 BE VERY PAINFUL. JUST HEARING THESE EXPERIENCES IS
15 HORRIFYING IN ITSELF.

16 AND ALL THOSE PERSONS WHO SUBSEQUENTLY MIGHT
17 PLAY A PART IN THESE PROCEEDINGS, I PRAISE THEM AS WELL. I
18 AM CONFIDENT THAT ALL OUR LEGISLATORS WILL DO THEIR BEST TO
19 IMPROVE COMMUNITY-POLICE RELATIONSHIPS. I AM DEEPLY INDEBTED
20 TO ONE AND ALL.

21 AT THIS POINT IN TIME AND TO THE BEST OF MY
22 RECOLLECTION, OR PERHAPS I SHOULD SAY AT ONE POINT IN TIME I
23 OF NECESSITY SHOULD EVOKE THE FIFTH AMENDMENT AS A MEASURE TO
24 PREVENT THE INCRIMINATION OF OTHERS. HOWEVER, UNDER SUBPOENA
25 I AM OBLIGATED TO GIVE TESTIMONY AND I AM VERY THANKFUL FOR

1 SUCH AN OPPORTUNITY.

2 NOW, THIS IS MY COUNTRY, THE UNITED STATES
3 OF AMERICA, LAND OF THE FREE.

4 I WAS BORN IN A GHETTO AREA IN THE CITY OF
5 BROTHERLY LOVE. I JOKINGLY SAY THE GREATER GHETTO. THIS IS
6 A GREAT CITY. WHY NOT A GREATER GHETTO FOR A GREAT CITY.

7 THIS IS MY HOME, THE CITY OF PHILADELPHIA,
8 PENNSYLVANIA, THE CITY OF BROTHERLY LOVE. I WAS RAISED IN
9 THE CITY OF BROTHERLY LOVE. I WAS EDUCATED IN THE CITY OF
10 BROTHERLY LOVE. I SERVED ACTIVE WAR DUTY IN THE U.S. AIR
11 FORCE, AND AFTER BEING HONORABLY DISCHARGED I SERVED IN THE
12 AIR FORCE RESERVES.

13 THE CITY OF PHILADELPHIA IS A CITY OF
14 BROTHERLY LOVE. IT IS A GREAT CITY. THE CITY OF
15 PENNSYLVANIA IS A GREAT -- PHILADELPHIA, PENNSYLVANIA IS A
16 VERY GREAT CITY. I SAID I WAS BORN HERE BUT MORE IMPORTANT
17 THAN THIS WAS THAT FREEDOM WAS BORN HERE. WORDS AND IDEAS
18 LIKE 'RIGHTS, FREEDOM, LIBERTY, JUSTICE FOR ALL,' MADE THIS
19 COUNTRY WHAT IT IS TODAY.

20 THE PROBABILITY OF MY DYING IN THE GHETTO
21 WHERE I WAS BORN IS EXTREMELY HIGH. IT WOULD BE TRAGIC
22 INDEED IF FREEDOM WHICH WILL NEVER DIE, DIES HERE IN THE CITY
23 OF BROTHERLY LOVE, ITS BIRTHPLACE.

24 MY TESTIMONY COULD RELATE TO MANY ABUSES BY
25 OFFICERS, OFFICIALS, OR IT COULD RELATE IN EVEN GREATER

1 NUMBER -- I DON'T KNOW IF YOU CAN TAKE THIS -- OF HONEST,
2 UPRIGHT, JUST AND EVEN UNDESERVING CONSIDERATIONS BESTOWED
3 UPON ME BY OFFICERS AND OFFICIALS.

4 NEED I SAY THAT SOME OF MY BEST FRIENDS ARE
5 POLICE OFFICERS. NEED I SAY THAT SOME OF MY TENNIS PARTNERS
6 ARE POLICE OFFICERS. NEED I SAY THAT SOME OF MY CHURCH
7 MEMBERS ARE OFFICERS.

8 WOULD YOU BELIEVE SOME MINISTERS ARE
9 OFFICERS? I SAY THAT TO SAY ALL THIS: I AM CONFIDENT THAT
10 THERE ARE MANY FINE POLICE OFFICERS.

11 I AM CONFIDENT AS IN MANY OTHER AREAS THAT
12 QUOTE 'GOOD' AS WELL AS OTHERS AS WITH THE -- AS WELL AS
13 OTHERS -- I AM CONFIDENT THAT THERE ARE MANY FINE POLICE
14 OFFICERS AS IN MANY OTHER FIELDS AS THERE ARE QUOTE 'GOOD' AS
15 WELL AS OTHERS. I DON'T KNOW IF YOU KNOW WHAT I MEAN BY
16 THAT, BUT WHAT I MEAN IS THAT IN EVERY FIELD YOU ARE GOING TO
17 HAVE QUOTE 'SO-CALLED GOOD,' AS WELL AS YOU HAVE QUOTE
18 'OTHERS'.

19 BUT I AM ALSO CONFIDENT THAT THE QUOTE
20 'GOOD' UNQUOTE OUTNUMBER THE OTHERS. YOU MAY NOT UNDERSTAND
21 WHAT I MEAN, BUT AS I GO ALONG YOU WILL UNDERSTAND.

22 JUST AS IN OTHER GROUPS WE MUST BE VERY,
23 VERY CAREFUL NOT TO JUDGE THE WHOLE BY THE ACTS OF
24 INDIVIDUALS. THERE ARE GOOD TEACHERS AND OTHERS. I SHOULD
25 SAY THERE ARE QUOTE 'GOOD' UNQUOTE TEACHERS AND OTHERS.

1 THERE ARE QUOTE 'GOOD' UNQUOTE DRIVERS AND OTHERS. THERE ARE
2 QUOTE 'GOOD' UNQUOTE FATHERS AND OTHERS. THERE ARE QUOTE
3 'GOOD' UNQUOTE STUDENTS AND OTHERS. I COULD GO ON CITING
4 EXAMPLE AFTER EXAMPLE, AND I AM CONFIDENT --

5 CHAIRMAN RHODES: IS THAT IT?

6 A. -- THAT THE GOOD OUTNUMBER THE OTHERS.

7 NOW YOU NOTE I HAVE FREQUENTLY REFERRED TO
8 OTHERS WHEN I COULD HAVE USED OTHER WORDS SUCH AS -- I DON'T
9 KNOW IF YOU CAN TAKE THIS -- PIGS, GESTAPO, OR JUST THE
10 OPPOSITE OF GOOD WHICH IS QUOTE 'BAD' UNQUOTE.

11 I PUT THE WORD GOOD IN QUOTATION MARKS
12 BECAUSE I AM OF THE BELIEF THAT NO ONE IS GOOD, AT LEAST NOT
13 ALL THE TIME. LIKEWISE, I HAVE PUT THE WORD BAD IN QUOTES,
14 QUOTATION MARKS BECAUSE I AM OF THE BELIEF THAT IN ALL OF US
15 THERE MAY BE SOME BAD BUT NOT ALL BAD.

16 ACTUALLY I AM OF THE BELIEF THAT NO ONE IS
17 BAD. THEREFORE I USE THE WORD OTHERS. BUT BY OTHERS I MEAN
18 THE MISINFORMED, THE UNEDUCATED, THE BRAINWASHED, THE
19 FEARFUL, THE SICK WHICH INCLUDE MENTALLY, THE EMOTIONALLY
20 AND THE MORALLY ILL.

21 THIS IS PHILADELPHIA, PENNSYLVANIA, WHICH IS
22 THE CITY OF BROTHERLY LOVE. THIS IS THE UNITED STATES OF
23 AMERICA, THE LAND OF THE FREE. LET US NOT FORGET THIS. WE
24 ALL CAN GO A LONG WAY IN THE DIRECTION OF CURING ALL ILLS AND
25 WRONGDOING. LET US NOT FORGET THAT THIS IS THE LAND OF THE

1 FREE AND THE OPPRESSION OF ANYONE WILL BE ITSELF DESTRUCTION
2 OF THE OPPRESSOR.

3 IT IS STILL TRUE THAT UNITED WE STAND,
4 DIVIDED THIS COUNTRY WILL SURELY FALL. LET YOUR IDEAS AND
5 LEGISLATURE EMANATE FROM AN ATMOSPHERE OF LOVE AND COMPASSION
6 FOR ALL MANKIND AS HUMANS. BY SO DOING PHILADELPHIA,
7 PENNSYLVANIA, THE CITY OF BROTHERLY LOVE, THE UNITED STATES
8 OF AMERICA, THE LAND OF THE FREE AS WELL AS THE ENTIRE
9 UNIVERSE WILL BE A BETTER PLACE WHERE PEACE AND HARMONY WILL
10 FREELY FLOURISH.

11 CHAIRMAN RHODES. THANK YOU VERY MUCH, MR.
12 NOTTAGE. WE APPRECIATE YOUR TESTIMONY.

13 A. YOU ARE WELCOMED.

14 CHAIRMAN RHODES: THANK YOU VERY MUCH, YOU ARE
15 DISMISSED.

16 A. THANK YOU.

17 (WITNESS EXCUSED.)

18 CHAIRMAN RHODES: THE NEXT WITNESS -- BEFORE WE
19 MOVE ON TO MRS. SIMMS, IS PROSENO WALTON IN THE AUDIENCE? IS
20 PROSENO WALTON IN THE AUDIENCE?

21 (NO RESPONSE.)

22 CHAIRMAN RHODES: MRS. SIMMS, --

23 MRS. SIMMS: YES.

24 CHAIRMAN RHODES: DO YOU HAVE A SUBPOENA TO
25 APPEAR HERE TONIGHT?

1 MRS. SIMMS: YES.

2 CHAIRMAN RHODES: DO YOU ACKNOWLEDGE YOU HAVE
3 IN YOUR PRESENCE AND POSSESSION THE SUBPOENA?

4 MRS. SIMMS: YES.

5 ---

6 LUCILLE SIMMS, SWORN.

7 CHAIRMAN RHODES:

8 Q. MRS. SIMMS, COULD YOU PLEASE GIVE US YOUR
9 FULL NAME AND THE SPELLING OF YOUR LAST NAME, AND ADDRESS?

10 A. LUCILLE SIMMS, S-I-M-M-S, 2721 NORTH OPAL
11 STREET.

12 Q. PLEASE SPEAK UP, MRS. SIMMS, SO WE CAN ALL
13 HEAR YOU.

14 A. FOR THE LAST FOUR YEARS I HAVE BEEN UNDER
15 ILLEGAL SURVEILLANCE. I WOULD LIKE TO KNOW WHO TO GO TO, TO
16 HAVE IT STOPPED.

17 I WENT TO THE POLICE AND REPORTED THIS, AND
18 NO ONE HAS HELPED ME.

19 Q. GO AHEAD, MRS. SIMMS.

20 A. I WOULD LIKE TO KNOW WHO TO GO TO, TO HAVE
21 IT STOPPED, BEING UNDER SURVEILLANCE.

22 Q. WHAT DO YOU MEAN YOU ARE UNDER
23 SURVEILLANCE?

24 A. PHYSICAL SURVEILLANCE. SOMEONE HAD
25 COMMITTED A CRIME, AND I REPORTED IT TO THE POLICE AND THEY

1 HAVEN'T DONE A THING. THEY ACKNOWLEDGE I HAVEN'T DONE
2 ANYTHING WRONG, I AM A NICE PERSON.

3 Q. ARE POLICE OFFICERS KEEPING YOU UNDER
4 SURVEILLANCE?

5 A. THEY ACKNOWLEDGE I AM A GOOD PERSON --

6 Q. WHO DO YOU THINK -- ARE THE PEOPLE KEEPING
7 YOU UNDER SURVEILLANCE, ARE THEY POLICE OFFICERS?

8 A. I DON'T KNOW WHO IS KEEPING ME UNDER
9 SURVEILLANCE. THIS IS WHAT I WANT TO KNOW, WHO TO GO TO TO
10 FIND OUT ABOUT THIS.

11 (PAUSE.)

12 CHAIRMAN RHODES: MRS. SIMMS WE WILL DISMISS
13 YOU AND WE WILL TALK TO YOU AFTER THE HEARING AS TO WHAT YOU
14 MIGHT DO.

15 THANK YOU, MRS. SIMMS.

16 A. OKAY.

17 (WITNESS EXCUSED.)

18 CHAIRMAN RHODES: IS MR. LEONARD MASON IN THE
19 AUDIENCE?

20 MR. MASON, DO YOU HAVE IN YOUR POSSESSION A
21 SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE OF THE HOUSE OF
22 REPRESENTATIVES?

23 MR. MASON: YES.

24 CHAIRMAN RHODES: DID YOU SAY YES?

25 MR. MASON: YES.

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LEONARD MASON, SWORN.

CHAIRMAN RHODES:

Q. YOU HAVE TO SPEAK UP LOUD BECAUSE HE HAVE NO
LOUDSPEAKER SYSTEM.

A. YES.

Q. WILL YOU GIVE YOUR FULL NAME AND THE
SPELLING OF YOUR LAST NAME AND YOUR ADDRESS?

A. MY NAME IS LEONARD MASON, M-A-S-O-N, 18
NORTH 28TH STREET.

Q. WOULD YOU PLEASE TELL US OF THE INCIDENT YOU
WOULD LIKE TO RELATE TO US IN YOUR OWN WORDS?

A. YEAH. LIKE ONE DAY I WAS COMING HOME FROM
WORK, YOU KNOW.

Q. WHEN WAS THIS DAY?

A. THIS WAS IN APRIL 1978. I CAN'T REMEMBER
WHAT DATE.

Q. APRIL OF THIS YEAR?

A. YES.

Q. GO AHEAD.

REPRESENTATIVE COHEN: WHAT DAY OF THE WEEK
WAS IT?

A. I CAN'T REMEMBER THE DATE.

SO I GOT OFF THE SUBWAY AND I COME UP --

CHAIRMAN RHODES:

1 Q. WHERE DID YOU GET OFF OF THE SUBWAY?

2 A. ON BROAD STREET.

3 Q. SPEAK UP.

4 A. BROAD STREET.

5 Q. AND WHAT?

6 A. BROAD AND COLUMBIA, UP BY BROAD AND
7 COLUMBIA.

8 CHAIRMAN RHODES: ALL RIGHT.

9 A. I GOT OFF THE SUBWAY AND I WALKED UP THE
10 STEP AND A COP LOOKED AT ME. HE HAD A DOG, RIGHT. SO THE
11 DOG -- SO I LOOKED AT HIM AND I STARTED TO RUN, BUT INSTEAD I
12 WALKED AND THE DOG STARTED BARKING.

13 HE HAD THE DOG CHAINED. HE HAD HIS FOOT ON
14 THE CHAIN. HE LIFTED HIS FOOT UP AND THE DOG JUMPED UP, AND
15 THAT IS HOW I GOT THESE STITCHES UP ON MY ARM. I GOT THEM
16 OUT RIGHT NOW --

17 REPRESENTATIVE WILLIAMS: EXCUSE ME, COULD YOU
18 DESCRIBE FOR THE RECORD YOUR SCARS SO THAT THE RECORD WILL
19 SHOW WHAT WE ARE TALKING ABOUT.

20 (WITNESS COMPLYING.)

21 MR. MASON HAS SHOWN THE COMMITTEE ON THE
22 LEFT SHOULDER OF HIS ARM A SCAR -- HOW LONG WOULD YOU SAY
23 THAT IS, MR. MASON, ABOUT FIVE INCHES, OR A SIX-INCH SCAR AND
24 ABOUT HALF AN INCH WIDE WITH ABOUT TEN TO 15 STITCH MARKS?

25 A. YES.

1 REPRESENTATIVE WILLIAMS: SIXTEEN STITCH MARKS,
2 A GOOD GUESS. OKAY.

3 GO AHEAD.

4 A. AND THEN I WENT HOME. WHEN I WENT TO THE
5 HOSPITAL, I GOT IT STITCHED UP AND TOLD MY MOTHER.

6 CHAIRMAN RHODES:

7 Q. MR. MASON, HOW DID YOU GET FROM THE DOG TO
8 THE HOSPITAL?

9 A. YOU KNOW LIKE THE COP GRABBED THE DOG,
10 TRYING TO PLAY LIKE THE DOG BROKE AWAY FROM HIM. HE GRABBED
11 THE DOG -- LIKE THE DOG BROKE AWAY, AND IT BIT ME.

12 Q. YOUR OPINION IS THE POLICEMAN DELIBERATELY
13 LET THE DOG LOOSE?

14 A. I KNOW HE HAD TO.

15 Q. THE DOG WAS DELIBERATELY SET ON YOU?

16 A. HE LEAPED ON ME AND BIT ME.

17 Q. THE POLICE OFFICER DELIBERATELY, IN YOUR
18 OPINION, LET THE DOG LOOSE ON YOU?

19 A. HE LET HIM GO. HE WAS A WHITE, SHORT MAN.

20 Q. OKAY. NOW, AFTER YOU WERE BITTEN, WHAT DID
21 THE POLICE OFFICER DO?

22 A. HE CALLED THE DOG, GRABBED THE DOG. THEN HE
23 STARTED TALKING TO ME.

24 Q. HE STARTED TALKING TO THE DOG OR TO YOU?

25 A. HE TALKED TO ME. THEN HE CALLED A COP CAR.

1 Q. WHAT DID HE SAY?

2 A. HE ASKED ME WAS I ALL RIGHT. I SAID, "DO I
3 LOOK LIKE I'M ALL RIGHT?" THEN HE GRABBED ME AND SAID, "WHO
4 ARE YOU GETTING SMART WITH?" I SAID, "I'M GETTING SMART
5 WITH YOU." THEN HE GRABBED THE DOG, AND THE DOG WAS STILL
6 BARKING.

7 THEN HE CALLED A COP CAR AND TOOK ME TO THE
8 HOSPITAL, AND I CALLED MY MOTHER.

9 Q. THE POLICE TOOK YOU TO THE HOSPITAL?

10 A. YES. MY MOM GOT THERE; AND AFTER THEY
11 STITCHED ME UP, I WENT HOME. SHE ASKED ME WHAT HAPPENED AND
12 I TOLD HER WHAT HAPPENED, AND SHE SAID SHE WAS GOING TO FILE
13 A COMPLAINT.

14 Q. MR. MASON, FOR THE RECORD, HOW OLD WERE YOU
15 WHEN THIS HAPPENED?

16 A. I AM 17.

17 Q. YOU WERE 17?

18 A. RIGHT.

19 REPRESENTATIVE WILLIAMS: HOW OLD ARE YOU NOW?

20 A. 17. I WILL BE 18 ON THE 29TH.

21 CHAIRMAN RHODES:

22 Q. DID YOU TAKE ANY LEGAL ACTION AS A RESULT OF
23 THIS INCIDENT WITH THE PHILADELPHIA CITY POLICE?

24 A. IF I HAD A STICK OR SOMETHING I WOULD HAVE.

25 Q. NO, NO, THAT IS NOT LEGAL ACTION.

1 NO, MR. MASON, SINCE THE INCIDENT HAVE YOU
2 FILED ANY LEGAL PROCEEDINGS AGAINST THE CITY?

3 A. NO. MY MOTHER SAID SHE WAS BECAUSE I THINK,
4 TO TELL YOU THE TRUTH, I THINK I AM TOO YOUNG TO DO IT
5 REALLY. SO I TOLD HER TO SEE WHAT SHE COULD DO.

6 I WAS ON PROBATION, AND SO I TOLD MY
7 PROBATION OFFICER. HE SAID HE WILL CHECK IT OUT. SO FAR I
8 DIDN'T HEAR WORD FROM HIM.

9 Q. NO SUIT HAS BEEN FILED?

10 A. NO.

11 Q. I HATE TO ASK THIS QUESTION BUT IT IS
12 IMPORTANT FOR THE RECORD: AFTER THE DUG BIT YOU, HOW DEEP A
13 GASH WAS IT?

14 A. I KNOW IT WAS DEEP.

15 Q. WAS THERE ANYTHING BESIDES -- WAS THERE ANY
16 TENDONS CUT OR --

17 A. NO. IT WAS DEEP.

18 Q. HOW DEEP? I KNOW IT IS A VERY DIFFICULT
19 THING TO ASK.

20 A. I WOULD SAY IT IS ALMOST TO MY BONE.

21 Q. ALMOST TO THE BONE?

22 A. YES.

23 Q. INDICATING, THE WITNESS IS INDICATING HIS
24 SHOULDER AREA WHICH MEANS IT WOULD HAVE TO BE AT LEAST AN
25 INCH DEEP.

1 A. I IMAGINE.

2 Q. DO YOU KNOW THE POLICE OFFICER'S NAME WHO
3 HAD HOLD OF THE DOG?

4 A. I DON'T KNOW HIS NAME.

5 Q. WOULD YOU RECOGNIZE HIM IF YOU SAW HIM
6 AGAIN?

7 A. YES.

8 Q. YOU WOULD?

9 A. I WOULD LIKE TO SEE HIM TOO.

10 REPRESENTATIVE WILLIAMS: IS THAT THE SAME
11 POLICEMAN WHO TOOK YOU TO THE HOSPITAL?

12 A. NO. HE HAD LIKE A SPANISH GUY LIKE TAKE ME
13 TO THE HOSPITAL.

14 Q. HAVE YOU EVER BEEN ARRESTED BY THE POLICE
15 BEFORE THAT NIGHT?

16 A. NO, I AIN'T NEVER BEEN ARRESTED; BUT THEY
17 TOOK ME DOWN BECAUSE THEY SAID I HAD A WHOLE SHOPPING BAG
18 FULL OF REEFERS, ME.

19 AND I GOT ACCUSED ONE TIME FOR ALMOST
20 HOLDING UP A BANK, BUT I DIDN'T.

21 Q. YOU GOT ACCUSED OF ALMOST HOLDING UP A BANK?

22 A. IT WAS A GUY THEY SAID HAD BROWN PANTS AND A
23 WHITE TEE SHIRT, AND I HAD ON BROWN PANTS AND A WHITE TEE
24 SHIRT.

25 CHAIRMAN RHODES: IN OTHER WORDS, WE ALL LOOK

1 ALIKE?

2 A. THEY JUST GO AROUND PICKING ANYBODY UP.
3 IT'S NO GOOD.

4 CHAIRMAN RHODES: ANY FURTHER QUESTIONS FROM
5 THE COMMITTEE?

6 (NO RESPONSE.)

7 CHAIRMAN RHODES: THANK YOU VERY MUCH, MR.
8 MASON. YOU ARE EXCUSED.

9 (WITNESS EXCUSED.)

10 CHAIRMAN RHODES: MR. HALL, CHARLES HALL.

11 MR. HALL, DO YOU ACKNOWLEDGE YOU HAVE IN
12 YOUR POSSESSION A SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE
13 TONIGHT?

14 MR. HALL: YES, I DO.

15 ---

16 CHARLES HALL, AFFIRMED.

17 CHAIRMAN RHODES: WILL YOU STATE YOUR FULL NAME
18 AND SPELL YOUR LAST NAME AND GIVE YOUR ADDRESS?

19 A. MY NAME IS CHARLES HALL, H-A-L-L. I LIVE AT
20 1839 NORTH WILLINGTON STREET.

21 CHAIRMAN RHODES: MR. HALL, WOULD YOU RELATE TO
22 US IN YOUR OWN WORDS THOSE INCIDENTS YOU WOULD LIKE TO LET US
23 KNOW ABOUT?

24 A. RIGHT. LIKE I HAVE HAD NUMEROUS INCIDENTS
25 THAT HAPPENED TO ME BY THE PHILADELPHIA POLICE DEPARTMENT AND

1 THE CIVIL DISOBEDIENCE SQUAD.

2 IT WAS LIKE ONE TIME I WAS IN THE AREA OF
3 33RD AND POPLAR -- AND I AM NOT A MOVE MEMBER LET'S GET THAT
4 CLEAR, AND I WASN'T SUPPORTIVE AT THAT TIME, AS I WAS
5 WALKING DOWN 33RD STREET --

6 CHAIRMAN RHODES: APPROXIMATELY WHAT YEAR AND
7 WHAT MONTH WAS THIS?

8 A. THIS WAS LIKE IN JULY OF 1977.

9 CHAIRMAN RHODES: JULY OF '77?

10 A. RIGHT.

11 CHAIRMAN RHODES: GO AHEAD.

12 A. AND LIKE I WAS WALKING DOWN 33RD STREET AND
13 A MOVE MEMBER ASKED ME TO GO TO THE STORE FOR HIM. SO HE
14 SAID HE WANTED TWO 50-POUND BAGS OF DOG FOOD AND 30 DOZEN OF
15 EGGS. SO I SAID OKAY, BECAUSE AT THAT TIME A MOVE MEMBER WAS
16 ON THE PLATFORM AND THEY COULDN'T DO FOR THEMSELVES. THEY
17 WAS ASKING ANYBODY IN THE STREET THAT WALKED BY TO GO TO THE
18 STORE FOR THEM. THE POLICE AT THAT TIME WOULDN'T LET ANYBODY
19 GO TO THE STORE FOR THEM. THE PEOPLE WERE AFRAID, YOU KNOW;
20 BUT I WENT.

21 I WENT AND GOT THE DOG FOOD, TWO 50-POUND
22 BAGS OF DOG FOOD AND BROUGHT IT BACK TO HIM AND I WAS GOING
23 TO GET THE 30 DOZEN OF EGGS. AS I CAME BACK WITH THAT I WAS
24 CONFRONTED BY THE POLICE DEPARTMENT, 1600 WAGON AND THE CIVIL
25 DISOBEDIENCE SQUAD. I WAS TOLD, YOU KNOW WHY DID I GO TO

1 STORE FOR MOVE. SO I, IN TURN, TOLD THEM BECAUSE THEY ASKED
2 ME, AND THEY NEED TO EAT. THERE AIN'T NO LAW AGAINST FEEDING
3 NOBODY, IS THERE OR IS THERE NOT?

4 THEN I WAS, IN TURN, I WAS GRABBED AND HANDS
5 PUT BEHIND MY BACK WITH THE HANDCUFFS PUT ON ME REAL TIGHT TO
6 THE POINT WHERE IT LEFT MARKS AROUND MY WRIST. I WAS THROWN
7 INTO THE WAGON HEAD FIRST. I WAS TAKEN AROUND FIRST, YOU
8 KNOW, THEY DIDN'T TAKE ME TO THE POLICE STATION RIGHT AWAY.
9 THEY RODE ME ALL AROUND AND THREATENED ME IN THE FRONT OF THE
10 SEAT AND BACK WHAT THEY SHOULD DO TO ME, WHETHER THEY SHOULD
11 KILL ME WHATEVER, AND ALL THAT.

12 SO, FINALLY I WAS TAKEN TO THE POLICE
13 STATION AT 55TH AND PINE STREETS WHERE I WAS HANDCUFFED TO A
14 CHAIR, WHERE I WAS LIKE THREATENED, YOU KNOW, AND LIKE TOLD
15 IF I WOULD EVER COME IN THE NEIGHBORHOOD AGAIN, THAT I WOULD
16 BE KILLED. AND SO IN TURN I STAYED DOWN THERE FOR LIKE FOUR
17 HOURS UNTIL FINALLY I WAS RELEASED. AFTER I WAS RELEASED, I
18 WAS STILL LIKE COMING AROUND THAT AREA.

19 AND THEN IN OCTOBER OF 1977, I WAS
20 CONFRONTED BY THE SAME OFFICERS AND THE SAME CIVIL
21 DISOBEDIENCE SQUAD; AND THIS TIME I WAS WALKING DOWN THE
22 STREET AND THIS GIRL THAT LIVED IN THE AREA ASKED ME TO HELP
23 HER CARRY HER BAGS WHILE SHE TAKES HER LITTLE CHILDREN AND
24 CARRY HER CHILDREN TO A SUBWAY SURFACE CAR. SO I, IN TURN,
25 OFFERED TO HELP HER. SO I HELPED HER.

1 AND AS I WAS WALKING DOWN I GOT NO FURTHER
2 THAN ABOUT 33RD AND POPLAR THE SAME OFFICERS CONFRONTED ME
3 AGAIN AND SAID, "DIDN'T I TELL YOU I DON'T WANT YOU AROUND
4 HERE NO MORE," LIKE THAT. HE ASKED ME WHAT DID I HAVE IN THE
5 BAG. I TOLD HIM LIKE I HAD SOME CLOTHES IN THE BAG THIS
6 WOMAN JUST GAVE ME. HE ASKED ME -- HE TRIED TO TAKE THE BAG
7 FROM ME. SO I TOLD HIM LIKE I WOULD EMPTY THE BAG AND LET
8 HIM SEE WHAT IS IN IT, TAKE THE THINGS OUT ONE AT A TIME AND
9 LET HIM SEE WHAT WAS IN IT. HE IN TURN HE SAID HE DIDN'T
10 WANT TO DO THAT.

11 HE IN TURN GRABBED ME BY THE ARM, AND SOME
12 MORE OFFICERS CAME AND THEY DID THE SAME THING, GRABBED ME BY
13 THE ARM, PUT THE HANDCUFFS ON ME, ONLY THIS TIME HE PULLED
14 LIKE THE HANDCUFFS REAL TIGHT AROUND MY WRIST, PUT MARKS ON
15 MY ARM AGAIN, AND PULLED ME BY THE HANDCUFF, IT'S THE LITTLE
16 CHAIN PART AND SNAPPED ME ON DOWN AND THREW ME INTO THE
17 WAGON. AND I WAS ARRESTED THIS TIME AND I WAS PLACED LIKE
18 UNDER \$3,500 BAIL WITH NINE CHARGES.

19 AND DIG THIS, ONE OF THE CHARGES THEY GAVE
20 ME WAS A RIOT CHARGE AND I WAS BY MYSELF. AND THE ONLY RIOT
21 THAT WOULD BE CAUSED WAS THE RIOT CAUSED BY THEM BECAUSE
22 THERE WAS SO MUCH POLICE PRESENCE OUT THERE.

23 REPRESENTATIVE WILLIAMS: DID THEY CHARGE YOU
24 THE FIRST TIME?

25 A. THEY THOUGHT ABOUT WHAT KIND OF CHARGE THEY

1 COULD GIVE ME.

2 REPRESENTATIVE WILLIAMS: THEY DIDN'T CHARGE
3 YOU?

4 A. THEY DIDN'T CHARGE ME, RIGHT, BUT THE
5 SECOND TIME THEY DID. THEY GAVE ME LIKE NINE CHARGES, \$3,500
6 BAIL, WHICH I DID A MONTH IN JAIL WAITING TO GO TO COURT.
7 AFTER I WENT INTO COURT I WAS DISCHARGED, YOU KNOW.

8 LIKE AFTER THAT DURING THE TIME THEY HAD THE
9 BARRICADES UP I WAS IN THE AREA AGAIN. THIS TIME I SEEN THE
10 SAME OFFICER RIDING UP BEHIND ME IN A CAR TRYING TO RUN ME
11 OVER AND I, IN TURN, LOOKED AROUND AND I SEEN THE CAR
12 SPEEDING TOWARDS ME, I GOT OUT OF THE WAY. AFTER I GOT OUT
13 OF THE WAY HE ROLLED PAST, HE WAS LIKE MAD CAUSE HE DIDN'T
14 HIT ME. AND THE LAST TIME --

15 CHAIRMAN RHODES: DO YOU KNOW HIS NAME?

16 A. CORPORAL MICHAEL LUTZ AND JOE BLACK AND THE
17 THE REST OF THE OFFICERS, DRIVER OF THE WAGON, 1600, THE 39TH
18 DISTRICT.

19 REPRESENTATIVE WILLIAMS:

20 Q. IS JOE BLACK, BLACK?

21 A. NO, HE IS WHITE. AS A MATTER OF FACT, ALL
22 OF THEM ARE WHITE.

23 AND I HAVE HAD NUMEROUS CONFRONTATIONS WITH
24 THEM. IT SEEMS LIKE EVERY TIME THEY SEE ME, THEY WANT TO
25 HARASS ME.

1 Q. DID YOU HAVE A JURY TRIAL?

2 A. I HAD A JUDGE TRIAL BUT I ALSO HAD LINE
3 THREE WITNESSES WHO STATED THERE WASN'T NO RIOT.

4 Q. WAS THAT IN MUNICIPAL COURT OR COMMON PLEAS
5 COURT?

6 A. MUNICIPAL. WELL, IT WAS COMMON PLEAS COURT
7 CASE UNTIL I WENT TO THE HEARING AND THEY DROPPED SOME OF THE
8 CHARGES, YOU KNOW.

9 Q. THEY DROPPED THE RIOT CHARGE?

10 A. DROPPED THE RIOT CHARGE.

11 Q. AT WHAT STAGE DID THEY DROP THE RIOT CHARGE,
12 AT THE PRELIMINARY HEARING?

13 A. RIGHT, AT 61ST AND THOMPSON.

14 LIKE I AM STILL SUFFERING FROM THE
15 HARASSMENT. AT THE SAME TIME THEY TOOK ME DOWN TO THE POLICE
16 STATION, THEY TOLD ME THEY WERE GOING TO FILE SOME MORE
17 CHARGES AGAINST ME. THEY TOOK ME DOWN THERE AND PUT ME IN
18 FRONT OF A LINEUP -- LIKE SOMEBODY ROBBED SOMEBODY THAT NIGHT
19 SOMEWHERE IN THE AREA -- AND PUT ME IN THE LINEUP AND TRIED
20 TO MAKE SOMEBODY POINT ME OUT.

21 Q. HOW DID THEY TRY TO MAKE SOMEBODY POINT YOU
22 OUT? A LINE-UP IS COMPOSED OF SEVERAL PERSONS. HOW DID YOU
23 KNOW THEY TRIED TO MAKE SOMEBODY POINT YOU OUT?

24 A. THEY ASKED THIS WOMAN, "ARE YOU SURE?" THEY
25 ASKED HER, "ARE YOU SURE THIS IS NOT THE MAN HERE?"

1 THEY TOOK EVERYBODY OUT OF THE LINE AND THEY
2 CALLED ME. I REFUSED TO GO IN THE LINEUP FIRST.

3 Q. WELL, THAT IS NOT A LINEUP.

4 A. OH, IT WAS A LINEUP BECAUSE THEY HAD A WOMAN
5 WITH A TWO-WAY MIRROR AND THEY HAD THE WOMAN IN ONE ROOM, AND
6 ME AND SEVEN OTHER GUYS STANDING UP IN ANOTHER ROOM ILLEGAL.

7 Q. WHAT YOU JUST TALKED ABOUT IS NOT A LINEUP.
8 DID THEY HAVE TO FACE ONLY YOU? THAT IS NOT A LINEUP.

9 A. WHATEVER YOU WANT TO CALL IT. IT SHOULDN'T
10 HAVE BEEN THAT.

11 Q. HOW DID THEY COME TO DISMISS THE RIOT
12 CHARGE? DID THE JUDGE DO THAT OR THE U.A., OR THE COP DO
13 THAT?

14 A. WELL, I REALLY DON'T KNOW. THE JUDGE MADE
15 IT APPEAR THAT HE WAS DOING IT, BUT --

16 Q. HE HEARD THE TESTIMONY AND DISMISSED IT?

17 A. NO, THEY DIDN'T HEAR TESTIMONY. I WENT TO
18 THE COURT AND BEFORE I EVEN SAID ANYTHING, BEFORE ANYBODY
19 COULD SAY ANYTHING, THEY JUST LIKE DROPPED THE RIOT CHARGES
20 AND SOME MORE CHARGES. THEY KNOW IT WASN'T NO RIOT, JUST
21 LIKE THAT. I DIDN'T GET A CHANCE TO SAY ANYTHING.

22 Q. YOU SAY THEY KNEW THERE WAS NO RIOT CHARGE
23 AND THE RIOT CHARGE WAS PUT DOWN THERE BY THE POLICEMAN?

24 A. THEY HAD TO KNOW. THEY MUST HAVE TALKED
25 ABOUT IT BEFORE I WENT INTO THE COURTROOM. I WAS LIKE NEVER

1 ASKED NO QUESTIONS. AIN'T NOBODY EVER SAID ANYTHING TO DROP
2 IT AND SEND ME BACK, YOU KNOW.

3 Q. HAVE YOU ANYTHING ELSE TO SAY?

4 A. YES. I WOULD LIKE TO POINT OUT THERE IS AN
5 INJUSTICE BEING DONE RIGHT OUT THERE UPON THE MOVE
6 ORGANIZATION. I THINK THEM PEOPLE GOT A LOT OF COMPLAINTS,
7 THEY WANT TO BE HEARD ALSO. IF THIS COMMITTEE CAN FIND ANY
8 WAY TO GET UP THERE TO HEAR THE COMPLAINTS, I THINK IT WOULD
9 PROVE --

10 Q. YOU MEAN GO INTO THE HOUSE?

11 A. YOU CAN GO OUTSIDE THE HOUSE. YOU CAN HAVE
12 IT RIGHT OUT THERE. THEY CAN INVITE YOU.

13 Q. MOVE MEMBERS COME OUTSIDE AND TESTIFY?

14 A. THEY WOULD. THEY WILL COME AS FAR AS THEY
15 CAN COME. I THINK YOU KNOW, YOU CAN GET A LOT MORE POLICE
16 ABUSE CASES. BECAUSE THEY HAVE GOT A LOT TO SAY.

17 Q. THAT IS THE SECOND TIME THAT HAS BEEN
18 SUGGESTED, THAT WE HEAR THE MOVE SITUATION. TO BE FRANK AND
19 HONEST, WE CAN'T DO EVERYTHING, ALL RIGHT. FOLKS COME HERE
20 AND WE ARE EXPECTED TO GO OUT TO THE MOVE HOUSE AND EXPECTED
21 TO GO HERE AND THERE, THAT WOULD BE A LOT OF COMPLAINTS ON
22 US.

23 A. THAT IS THE COMPLAINT THAT IS BEING SEEN BY
24 THE PEOPLE. THIS IS A COMPLAINT YOU READ ABOUT EVERYDAY.

25 Q. WHAT DIFFERENCE DOES IT MAKE IF IT IS SEEN

1 OR IT IS NOT SEEN IF SOMEONE IS SUFFERING AN INJUSTICE?

2 A. IT MAKES A LOT OF DIFFERENCE.

3 Q. WHAT?

4 A. THE POLICE IS THERE EVERYDAY TRYING TO PUT
5 THESE PEOPLE OUT OF THEIR OWN HOMES.

6 Q. WHAT DIFFERENCE IS THERE IF SOMEBODY GETS
7 BEAT UP IN THE DARK OR LIGHT, AS FAR AS THE PERSON IS
8 CONCERNED?

9 A. OH, IT IS NOT REALLY THAT MUCH OF A
10 DIFFERENCE.

11 Q. YOU UNDERSTAND WHERE I AM COMING FROM?

12 A. YES.

13 Q. NOBODY IS EXPECTING US TO BE GOD, AT LEAST
14 NOT ME, I AM GOING TO BE FRANK AND HONEST. BUT I UNDERSTAND
15 WHERE YOU ARE COMING FROM AND I APPRECIATE IT.

16 CHAIRMAN SCIRICA: ARE THERE ANY MORE QUESTIONS
17 FROM MR. HALL?

18 REPRESENTATIVE RICHARDSON.

19 REPRESENTATIVE RICHARDSON:

20 Q. YOU ARE SUGGESTING TO THIS COMMITTEE THAT,
21 ASKING US TO MEET, TO TAKE TESTIMONY BASED ON THE FACT THAT
22 MOVE IS HELD UP INSIDE OF THEIR HEADQUARTERS BECAUSE SOMEHOW
23 SOME COURT ORDER HAS BEEN PLACED ON THEM FOR THE 20 MEMBERS
24 IN THE HOUSE TO BE ARRESTED WITHIN THE NEXT TEN DAYS.

25 IS THAT YOUR REASON FOR ASKING US TO HEAR

1 THEM?

2 A. NO, THAT IS NOT MY REASON TO HEAR THEIR
3 TESTIMONY.

4 Q. IS THAT YOUR REASON FOR ASKING US TO DO
5 THAT?

6 A. YES, SIR.

7 Q. IN YOUR INCIDENT CONCERNING YOUR LAST ARREST
8 WHERE THE FIRST TIME THEY THREW OUT THE CHARGES, RIGHT?

9 A. RIGHT.

10 Q. WERE YOU GIVEN ANY TIME?

11 A. I STAYED IN JAIL FOR 30 DAYS BECAUSE OF THE
12 EXCESS BAIL. IT WAS RIDICULOUS.

13 Q. WHAT WAS THE BAIL?

14 A. \$3,500.

15 Q. YOU STAYED IN JAIL FOR 30 DAYS?

16 A. THIRTY DAYS.

17 Q. AND AFTER THAT WHAT WAS YOUR SENTENCE, IF
18 YOU GOT ONE?

19 A. I WAS DISCHARGED, FOUND NOT GUILTY. I HAD A
20 TRIAL.

21 Q. WHAT ABOUT THE SECOND TIME?

22 A. THE SECOND TIME IS WHAT I AM TALKING ABOUT.
23 THE FIRST TIME I WAS RELEASED AFTER FOUR HOURS HARASSMENT AND
24 BEATEN AND HANDCUFFED ME TO THE CHAIRS AND WRISTS AND MARKS
25 AROUND MY FACE.

1 Q. HOW OLD ARE YOU, SIR?

2 A. THIRTY.

3 Q. THIRTY?

4 A. RIGHT.

5 Q. AS A CITIZEN IN THE CITY OF PHILADELPHIA,
6 HOW SERIOUS WOULD YOU SAY THE PROBLEM IS IN THE CITY OF
7 PHILADELPHIA CONCERNING POLICE VIOLENCE?

8 A. THE PROBLEM IS VERY SERIOUS. LIKE PEOPLE
9 BEING KILLED AT LEAST ONCE A WEEK NOW. A LOT OF PEOPLE BEING
10 KILLED THAT THE PRESS DON'T KNOW ABOUT. THERE'S PEOPLE BEING
11 BEAT LIKE CONSTANTLY EVERYDAY. THERE'S PEOPLE BEING ARRESTED
12 ON TRUMPED-UP CHARGES EVERY DAY. THE PROBLEM IS SO SERIOUS
13 LIKE ME MYSELF, LIKE I SAY I WASN'T IN SUPPORT OF MOVE AT
14 THAT TIME, BUT I WANT TO DO SOMETHING ABOUT IT. I DON'T CARE
15 WHAT I HAVE TO DO, TO DO ANYTHING ABOUT IT, BESIDES TO KEEP
16 THEM OFF ME.

17 I AM PRETTY SURE THERE ARE A LOT OF OTHER
18 PEOPLE FEEL THE SAME WAY LIKE I FEEL. EVEN IF IT COMES TO
19 VIOLENCE. I DON'T WANT TO BE KILLED. I AM QUITE SURE A LOT
20 OF PEOPLE FEEL THE SAME WAY.

21 REPRESENTATIVE RICHARDSON: THANK YOU VERY
22 MUCH, SIR.

23 CHAIRMAN SCIRICA: ANY OTHER QUESTIONS BY THE
24 COMMITTEE?

25 (NO RESPONSE.)

1 CHAIRMAN SCIRICA: THANK YOU VERY MUCH, MR.
2 HALL.

3 (WITNESS EXCUSED.)

4 CHAIRMAN SCIRICA: OUR NEXT WITNESS WILL BE
5 LINDORA WILKINS.

6 MS. WILKINS, DO YOU HAVE A SUBPOENA?

7 MS. WILKINS: YES.

8 CHAIRMAN SCIRICA: DO YOU ACKNOWLEDGE IT HAS
9 BEEN SERVED ON YOU?

10 MS. WILKINS: WHAT?

11 CHAIRMAN SCIRICA: DO YOU ACKNOWLEDGE YOU HAVE
12 THE SUBPOENA?

13 MS. WILKINS: YES.

14 ---

15 LINDORA WILKINS, SWORN.

16 CHAIRMAN SCIRICA: WILL YOU PLEASE TELL US YOUR
17 FULL NAME AND YOUR RESIDENCE?

18 A. LINDORA WILKINS, 4718 NORTH 15TH STREET.

19 CHAIRMAN SCIRICA: HOW OLD ARE YOU?

20 A. FORTY-THREE.

21 CHAIRMAN SCIRICA: WOULD YOU PLEASE RECITE YOUR
22 STORY TO US.

23 A. I WAS IN MY LIVING ROOM ABOUT 1:00 O'CLOCK,
24 LET ME SEE, ABOUT 1:30 OR 2:00 O'CLOCK AT NIGHT, AND I HEARD
25 SOME SHOOTING.

1 CHAIRMAN SCIRICA: WHAT TIME OF THE YEAR WAS
2 THAT?

3 A. ABOUT 1:30 OR 2:00. AND WE HEARD SOME
4 SHOOTING.

5 CHAIRMAN SCIRICA: WHAT YEAR?

6 A. OH, THIS WAS THIS YEAR, JUNE 15TH, I THINK
7 IT WAS, OR 16TH.

8 CHAIRMAN SCIRICA: 1978?

9 A. YES.

10 ME AND MY DAUGHTER, WE WAS DOWNSTAIRS IN THE
11 LIVING ROOM. WE HEARD SHOTS. SO WE RAN UPSTAIRS AND LOOKED
12 OUT THE WINDOW TO SEE WHAT WAS GOING ON. AND SOMEONE SAID
13 THE LADY UP THE STREET HAD GOT SHOT AND SOMEONE HAD CALLED
14 THE POLICE AND THE POLICE CAME, YOU KNOW. I MEAN QUITE A FEW
15 POLICE CAME AND A VAN CAME TO PICK UP THE LADY TO TAKE HER TO
16 THE HOSPITAL.

17 AS THE VAN DROVE UP, A COUPLE MORE SHOTS
18 RANG OUT AND THE POLICE CAME RUNNING TOWARDS MY FRONT BEDROOM
19 WINDOW WHERE MY SON WAS SLEEPING AND THEY JUST STARTED
20 SHOOTING, YOU KNOW. THEY DIDN'T ASK NO QUESTIONS, AND
21 STARTED SHOOTING -- FIRST OF ALL, THEY MUST HAVE BROKE THE
22 DOOR DOWN, I DON'T KNOW HOW THAT HAPPENED. THE DOOR WAS
23 BUSTED IN SOME KIND OF WAY. AND THEY RAN UPSTAIRS. ABOUT 20
24 SHOTS WAS FIRED BEFORE THAT. I DON'T KNOW HOW MANY SHOTS.

25 SO I WAS TRYING TO GET IN MY FRONT BEDROOM

1 WHERE MY SON WAS LYING IN BED. ALL OF A SUDDEN ONE OF THE
2 BULLETS SHOT UP INTO THE CEILING AND MY SON WAS LYING IN BED
3 AND MY OTHER KIDS WERE LAYING -- EVERYBODY WAS IN BED EXCEPT
4 MY FOUR CHILDREN -- EXCEPT ME, HER, AND ANOTHER COUPLE OF
5 DAUGHTERS, ONE MORE DAUGHTER --

6 REPRESENTATIVE WILLIAMS: WHEN YOU SAY "HER,"
7 YOU ARE POINTING TO?

8 A. GWENDOLYN. THIS IS MY 17-YEAR OLD DAUGHTER.

9 REPRESENTATIVE WILLIAMS: YES, WE HAVE TO GET
10 THAT DOWN SO IT IS ON THE RECORD.

11 REPRESENTATIVE WILLIAMS:

12 Q. HOW OLD IS YOUR SON, MRS. WILKINS?

13 A. EIGHT.

14 Q. GO AHEAD.

15 A. SO AS I GOT MY WINDOW DOWN KEEPING THE SHOTS
16 FROM COMING IN THE WINDOW, I WOULD TOUCH IT AND IT WOULD
17 FALL, SO I GOT THE WINDOW DOWN, AND I RAN TOWARDS THE STEPS
18 AND I SEEN ALL OF THESE POLICE OFFICERS RUNNING UPSTAIRS, AND
19 I WAS TELLING THE OFFICER --

20 Q. IN YOUR HOUSE?

21 A. YES, COMING UP MY STEPS, YOU KNOW. I WAS
22 TELLING THEM, "THE TROUBLE IS NEXT DOOR." I BEGGED THEM. I
23 WAS AT THE WINDOW AND THE BULLETS RINGING ALL AROUND THE
24 WINDOW, JUST LIKE SLEET AT THE WINDOW, THAT IS HOW FAST IT
25 WAS GOING ON. I SAID, "THE TROUBLE IS NEXT DOOR." THEY

1 WOULDN'T LISTEN AT ME. THEY PUSHED ME ASIDE, YOU KNOW.

2 REPRESENTATIVE RICHARDSON: THEY PUSHED YOU?

3 A. THEY PUSHED ME ASIDE AND KEPT COMING UP MY
4 STAIRWAY, YOU KNOW. I SAID, "OFFICER, PLEASE, THE TROUBLE IS
5 NEXT DOOR." I KEPT BEGGING THEM, YOU KNOW. AND THEY CAME
6 UPSTAIRS LIKE THAT.

7 SO I WENT INTO THE BACK BEDROOM. BY THAT
8 TIME MY HUSBAND WAS COMING OUT OF THE BACK ROOM, HE HEARD THE
9 SHOOTING AND FIRING. SO MY HUSBAND CAME OUT OF THE BACK ROOM
10 AND THEY GRABBED HIM AND HANDCUFFED HIM.

11 REPRESENTATIVE RICHARDSON: HANDCUFFED HIM?

12 A. HANDCUFFED MY HUSBAND. HE HAD JUST JUMPED
13 OUT OF THE BED WITH HIS PANTS ON. BY THAT TIME THEY GRABBED
14 HIM AND HANDCUFFED HIM AND TOOK HIM OUTSIDE.

15 THEY WENT IN MY BACK ROOM AND THEY HAD
16 ALREADY TURNED THE BEDROOMS OVER IN THE THIRD FLOOR, FRONT
17 BEDROOM, TURNED THE BEDS OVER, UPSIDE DOWN.

18 REPRESENTATIVE WILLIAMS:

19 Q. THERE WAS NOTHING ILLEGAL GOING ON IN YOUR
20 HOUSE AT ALL?

21 A. NO. I WAS TELLING THEM THE TROUBLE WAS NEXT
22 DOOR, YOU KNOW.

23 Q. WAS THERE SOME TROUBLE ACTUALLY NEXT DOOR?

24 A. THERE WAS SOME TROUBLE, SOME SHOOTING GOING
25 ON THERE.

1 Q. FROM THAT BUILDING?

2 A. YES. I HAD TOLD THEM, THAT IS HOW THEY CAME
3 UP TO MY HOUSE. THEY HEARD TWO GUNSHOTS. THEY WAS PARKED UP
4 THE STREET GETTING READY TO TAKE THE LADY TO THE HOSPITAL
5 THAT WAS SHOT.

6 WHEN THE SHOT RANG OUT AND THEY HEARD IT
7 FIRED, THEY RAN OVER TO MY FRONT WINDOW AND JUST STARTED
8 FIRING AT MY WINDOW.

9 Q. THEY APPARENTLY WERE THINKING THE SHOTS CAME
10 FROM YOUR HOUSE?

11 A. YES. BUT SEE, WHEN THEY GOT UPSTAIRS I TOLD
12 THEM THE TROUBLE WAS NEXT DOOR.

13 Q. WITHOUT CHECKING?

14 A. YES.

15 Q. AND WHEN YOU TOLD THEM, THEY JUST KEPT
16 COMING?

17 A. YES, THEY KEPT PUSHING ME ASIDE AND KEPT
18 GOING UPSTAIRS.

19 (PAUSE.)

20 WELL, SEE, THE MAN NEXT DOOR HAD SHOT HIS
21 GIRLFRIEND, YOU KNOW, AND SOMEONE CALLED THE POLICE. AND AS
22 I LOOKED OUT THE WINDOW TO SEE THEM PICK THE LADY UP TO TAKE
23 HER TO THE HOSPITAL, THEY HEARD TWO MORE SHOTS. SO THE GUY
24 NEXT DOOR HAD SHOT HIMSELF, YOU KNOW.

25 AS THEY CAME UP, YOU KNOW, AS THEY CAME UP

1 THEY KNOCKED MY DOOR DOWN, I TOLD THEM THE TROUBLE WAS NEXT
2 DOOR, YOU KNOW.

3 Q. SO THEY PICKED UP A LADY WHO HAD BEEN SHOT
4 BY HER BOYFRIEND?

5 A. YES.

6 Q. HE LATER ON SHOT HIMSELF; AND HIS HOUSE WAS
7 NEXT DOOR TO YOU?

8 A. YES.

9 Q. AND THEY RESPONDED TO HIM SHOOTING HIMSELF
10 BY COMING TO YOUR HOUSE?

11 A. YES.

12 Q. THAT IS SMART.

13 A. THEY NEVER DID -- NEXT DOOR THEY NEVER DID
14 GET INTO THAT HOUSE, YOU KNOW, UNTIL AFTER THEY HAD BROKE MY
15 DOOR DOWN, YOU KNOW. THE MAN DIDN'T NEVER SHOOT OUTSIDE. HE
16 JUST SHOT INSIDE.

17 SO THE POLICE OFFICER WAS LOOKING FOR WHERE
18 THE SHOOTING WAS COMING FROM. BUT THAT MAN DIDN'T SHOOT
19 OUTSIDE. HE WAS JUST INSIDE AT THAT TIME.

20 Q. YOU SAY THEY SHOT IN YOUR WINDOW?

21 A. YES, IN MY FRONT BEDROOM. THEY CAME ACROSS
22 THE STREET FROM THE VAN, AND JUST STARTED SHOOTING AT MY
23 WINDOW WHERE MY SON WAS LAYING IN BED, THE RIGHT WINDOW, AND
24 ONE GUN BULLET WENT --

25 Q. IF SOMEONE HAD BEEN STANDING BY YOUR WINDOW,

1 THEY WOULD HAVE GOTTEN SHOT?

2 A. I WAS STANDING BY MY WINDOW TRYING TO GET
3 THAT WINDOW DOWN AT THAT TIME THEY WERE SHOOTING.

4 Q. IF ONE OF THE POLICEMEN'S RELATIVES HAD BEEN
5 AT YOUR HOUSE, THEY WOULD HAVE SHOT THAT RELATIVE OF THEIRS?

6 A. WHAT RELATIVE?

7 Q. I AM JUST TRYING TO MAKE A POINT, THEY WOULD
8 HAVE SHOT NO MATTER WHO WAS THERE.

9 GO AHEAD.

10 A. AS I SAY, MY HUSBAND, AFTER THEY HANDCUFFED
11 MY HUSBAND, AT THAT TIME THEY WERE DOING SOME SHOOTING INTO
12 THE MIDDLE ROOM WHERE MY OTHER THREE KIDS WERE LYING IN BED,
13 AND MY NEPHEW WAS STANDING BEHIND A DRESSER AT THAT TIME AND
14 THEY FIRED SO MANY BULLETS, YOU KNOW, AT THAT TIME --

15 REPRESENTATIVE WILLIAMS: COULD YOU HOLD ON FOR
16 A MINUTE UNTIL WE FIND OUT WHAT THE TROUBLE IS.

17 CHAIRMAN RHODES: THE COMMITTEE IS DECLARED IN
18 RECESS FOR 15 MINUTES.

19 (RECESSED AT 10:03 O'CLOCK P.M.)

20 (10:15 O'CLOCK P. M.)

21 CHAIRMAN RHODES: THIS HEARING IS NOW REOPENED.

22 MRS. WILKINS, PLEASE CONTINUE.

23 A. AS I SAID, MY HUSBAND WAS COMING OUT THE
24 BACK DOOR AND THEY HANDCUFFED HIM. AND MY HUSBAND SAID,
25 "WHAT'S GOING ON," BECAUSE THE BULLETS WERE COMING UP; AND

1 THEY CARRIED HIM OUT TO THE VAN.

2 AND EVERYONE SAID, 'HE'S NOT THE RIGHT GUY
3 YOU WANT.' THEY SAID, 'SO WHAT.' THEY LOCKED HIM UP, PUT
4 HIM IN THE VAN, AND LET HIM REMAIN THERE ABOUT 45 MINUTES --
5 I DON'T KNOW HOW LONG HE WAS OUT THERE BECAUSE I WAS IN THE
6 HOUSE.

7 THEY WENT IN THE BACK BEDROOM. ONLY ONE
8 COLORED COP WAS IN THIS GROUP OF POLICEMEN. AND I ASKED
9 THEM, 'WHAT ARE YOU LOOKING FOR?' THEY BEGAN IN THE BACK
10 BEDROOM OVERTURNING MATTRESSES, THROWING THINGS OUT THE
11 CLOSET; AND I ASKED THEM WHAT WERE THEY LOOKING FOR. THEY
12 SAID, 'I WANT YOU DOWNSTAIRS.' I SAID, 'WHAT AM I GOING
13 DOWNSTAIRS FOR, I HAVEN'T DID ANYTHING.' SO THEN THIS POLICE
14 OFFICER JUST JERKED MY ARM AND SAID, 'COME ON DOWNSTAIRS.'
15 SO I JUST JERKED BACK AND SAID, 'I AM NOT GOING ANYWHERE.' I
16 SAT DOWN ON THE BED.

17 THEY TORE THE MATTRESSES UP, BUT DIDN'T
18 BOTHER THAT BED BUT ALL THE OTHER MATTRESSES THEY TORE THEM
19 UPSIDE DOWN. THAT'S WHY I ASKED HIM WHAT WERE THEY LOOKING
20 FOR. THEY DIDN'T ANSWER ME.

21 THEN THEY WENT ON DOWNSTAIRS. THEN MY BABY
22 6 YEARS OLD, STARTED TREMBLING ABOUT A HALF HOUR OR SO. I
23 ASKED THEM TO TAKE HER TO THE HOSPITAL.

24 CHAIRMAN RHODES:

25 Q. AFTER THE POLICE OFFICER PULLED ON YOUR ARM

1 AND YOU PULLED BACK, WHAT HAPPENED THEN?

2 A. THEY LEFT ME ALONE. I TOLD THEM TO LEAVE ME
3 ALONE, I HAIN'T DONE ANYTHING. SO MY DAUGHTER TOLD THEM,
4 'LEAVE MY MOTHER ALONE, I WILL BRING HER DOWNSTAIRS.' THEY
5 LEFT ME.

6 Q. THE HOUSE WAS IN DISARRAY?

7 A. OH, YEAH.

8 Q. WHERE WAS YOUR HUSBAND?

9 A. MY HUSBAND WAS IN THE VAN.

10 Q. THEY TOOK HIM WITH THEM?

11 A. NO, THEY JUST LEFT HIM ACROSS THE STREET IN
12 THE VAN ABOUT A HALF HOUR OR SO.

13 Q. THEN THEY RELEASED HIM?

14 A. YES.

15 Q. IS THERE ANYTHING ELSE YOU WANT TO TELL US
16 ABOUT THAT INCIDENT?

17 A. MY BABY, LIKE I SAID, SHE HAD LIKE SOME
18 EXCITEMENT ABOUT A HALF AN HOUR OR SO AND I ASKED THEM TO
19 TAKE HER TO THE HOSPITAL. HE SAID SHE WILL GET THERE,
20 SOMETIME THAT NIGHT, MY BABY WHO WAS ABOUT SIX YEARS OLD,
21 THEN THEY LEFT OUT.

22 AND I SAID, 'CAPTAIN, WHAT WILL THEY DO ABOUT
23 MY FRONT DOOR THEY KNOCKED DOWN THAT NIGHT?' THEY SAID,
24 'SOMEONE WILL BE AROUND IN A COUPLE OF HOURS FROM NOW TO FIX
25 YOUR DOOR.' AND MY DOOR WAS DOWN ABOUT TWO OR THREE NIGHTS

1 AND THEY CAME AND FIXED IT, THE HOUSING AUTHORITY PEOPLE; BUT
2 THE POLICE OFFICER WAS OUT THERE AT THAT TIME.

3 REPRESENTATIVE RICHARDSON: BUT THE HOUSING
4 AUTHORITY --

5 A. FIXED THE DOOR.

6 REPRESENTATIVE RICHARDSON: IT WASN'T THE CITY
7 OF PHILADELPHIA?

8 A. NO. AND IN THE MEANTIME WHILE I WAS IN THE
9 BACK ROOM EXPLAINING TO THEM ABOUT WHAT WERE THEY TEARING MY
10 BACK BEDROOM UP FOR, THEY WERE IN THE LIVING ROOM SHOOTING,
11 YOU KNOW, MY OTHER KIDS WERE IN BED.

12 CHAIRMAN RHODES:

13 Q. SO YOUR CHILDREN WERE IN THE BEDROOM, AND
14 THEY WERE FIRING AT THAT BEDROOM?

15 A. YES, THEY HAD ABOUT SEVEN --

16 Q. CARTRIDGES?

17 A. YES, AND THOSE IN THE CLOSET.

18 Q. WERE YOU CONCERNED IF THEY WERE ACTUALLY
19 SHOOTING AT SOMEBODY, AS THEY WERE FIRING OUT OF THAT BEDROOM
20 WHERE YOUR THREE CHILDREN WERE ASLEEP?

21 A. I WAS IN THE BACK ROOM AT THAT TIME OF THAT
22 SHOOTING.

23 Q. WHAT I MEAN IS --

24 A. -- WHEN I HEARD THE FIRING IN --

25 Q. WERE YOUR CHILDREN STILL IN THE ROOM WHEN

1 THE POLICE OFFICERS WERE FIRING OUT THE WINDOW?

2 A. WHEN I PASSED THEIR BEDROOM TO GO DOWNSTAIRS
3 THEY WERE IN BED. WHEN I CAME PAST MY MIDDLE BEDROOM, MY
4 CHILDREN WERE IN BED, AND MY SON WAS IN THE FRONT BED. AND I
5 GOT PAST THAT ROOM TO GO DOWNSTAIRS; AND I MET THIS POLICE
6 OFFICER COMING UPSTAIRS, AND I TOLD HIM, " THE TROUBLE IS
7 NEXT DOOR."

8 I WENT INTO THE BACK BEDROOM. AFTER
9 THAT, I DON'T KNOW HOW MY KIDS GOT OF THAT BEDROOM. I DON'T
10 REMEMBER THAT.

11 Q. YOU DON'T REMEMBER WHETHER THEY WERE FIRING
12 WHEN THE KIDS WERE IN THE BED OR NOT?

13 A. LIKE I SAY, I DON'T KNOW IF THEY WAS IN
14 THERE AT THE TIME THEY WERE SHOOTING OR NOT. I DON'T KNOW
15 HOW THEY GOT OUT OF THERE. I ASKED THEM, THEY SAID THEY
16 DIDN'T KNOW EITHER.

17 Q. WERE YOU ONE OF THE CHILDREN IN THAT
18 BEDROOM?

19 A. (GWENDOLYN WILKINS) NO, I WAS DOWNSTAIRS
20 TOO; BUT MY MOTHER TOLD MY OTHER SISTER TO GO GET THE OTHER
21 KIDS OUT OF THE BED.

22 A. (LINDORA WILKINS) I DON'T REMEMBER THAT
23 EITHER.

24 A. (GWENDOLYN WILKINS) SHE TOLD MY NEXT TO
25 THE OLDEST SISTER TO GET THE KIDS OUT OF THE BED.

1 Q. DID THE POLICE OFFICER TRY TO GET THE
2 CHILDREN OUT OF THE ROOM BEFORE THEY STARTED SHOOTING?

3 A. (LINDORA WILKINS) NO. LIKE I SAID, THEY
4 JUST STARTED FIRING, YOU KNOW.

5 Q. INTO THE ROOM?.

6 A. MY FRONT WINDOW.

7 REPRESENTATIVE WILLIAMS: HOW LONG HAVE YOU
8 BEEN LIVING AT THAT HOUSE?

9 A. I HAVE BEEN LIVING THERE ABOUT EIGHT YEARS.
10 AND THEY JUST STARTED FIRING AT THE WINDOWS,
11 YOU KNOW.

12 CHAIRMAN RHODES:

13 Q. IN OTHER WORDS, FIRST THEY CAME TO YOUR
14 HOUSE AND STARTED FIRING THROUGH ONE OF YOUR WINDOWS, RIGHT?

15 A. UM-HUM.

16 Q. AND YOU COULDN'T SEE ANYBODY?

17 A. NO.

18 Q. THEN THEY BROKE INTO THE HOUSE AND WENT INTO
19 ANOTHER BEDROOM WHERE YOU HAD THREE CHILDREN ASLEEP?

20 A. UM-HUM.

21 Q. AND YOU DON'T KNOW WHETHER THEY GOT THE
22 CHILDREN OUT OR NOT, BUT THEY STARTED SHOOTING OUT OF THAT
23 BEDROOM --

24 A. BUT I HAD A NEPHEW IN THAT BEDROOM TOO, AT
25 THE SAME TIME. HE WAS HIDING BEHIND THE DRESSER, BECAUSE MY

1 NEPHEW HAD COME TO GET ME OUT OF THAT FRONT BEDROOM BECAUSE
2 MY DAUGHTERS, THEY WERE LYING ON THE FLOOR, TRYING TO GET ME
3 ON THE FLOOR BECAUSE I WAS TRYING TO GET THE WINDOW DOWN.
4 BULLETS WERE HITTING THE WINDOW.

5 Q. HOW LONG WAS YOUR NEPHEW IN THAT ROOM?

6 A. THAT THEY WERE SHOOTING AT?

7 Q. YES.

8 A. I DON'T KNOW BECAUSE, AS I SAID, I RAN PAST
9 THAT ROOM TO GO DOWN, TO LET THEM KNOW THEY WEREN'T IN THE
10 RIGHT HOUSE.

11 Q. SO FOR THE RECORD THEY FIRST BEGAN FIRING
12 INTO YOUR HOUSE MISTAKENLY THROUGH A WINDOW?

13 A. YES.

14 Q. ABOUT HOW MANY SHOTS DID THEY FIRE?

15 A. I CAN'T SAY, IT WAS ABOUT 20. IT WAS JUST
16 LIKE HAILING AT THE WINDOW, THE BULLETS WENT 'PING, PING,
17 PING,' SOMETHING LIKE THAT.

18 I WAS TRYING TO GET THE WINDOW DOWN, YOU
19 KNOW.

20 Q. THEY BROKE INTO THE HOUSE, WENT TO A BEDROOM
21 IN YOUR HOUSE AND BEGAN FIRING OUT OF THAT BEDROOM; WENT
22 INSIDE YOUR HOUSE, WENT TO A BEDROOM WHERE YOUR CHILDREN WERE
23 ASLEEP AND BEGAN FIRING OUT OF THAT BEDROOM?

24 A. YES, IN THE MIDDLE BEDROOM AND STARTED JUST
25 FIRING SHOTS.

1 Q. OUT OF THAT WINDOW?

2 A. UM-HUM -- NO, YOU KNOW, JUST IN THAT ROOM.

3 Q. OH, FIRING SHOTS IN THE ROOM?

4 A. YES.

5 Q. AT WHO, AT WHAT?

6 A. AT MY NEPHEW. HE WAS HIDING IN THE CORNER
7 FROM THEM, YOU KNOW. THEY DIDN'T TELL HIM TO COME OUT WITH
8 HIS HANDS UP OR NOTHING LIKE THAT.

9 Q. OH, THEY WEREN'T SHOOTING OUT OF THE ROOM,
10 BUT THEY WERE SHOOTING AT SOMEBODY IN THE ROOM?

11 A. THEY WERE SHOOTING AT THE CLOSET. MY NEPHEW
12 WAS HIDING BEHIND THE CLOSET, YOU KNOW, PROTECTION, I GUESS.
13 I DON'T KNOW.

14 Q. THEY CAME IN THE ROOM AND STARTED SHOOTING
15 AT THE CLOSET?

16 A. YEAH. SHOOTING AROUND IN THAT AREA.

17 Q. OH, I THOUGHT THEY WERE SHOOTING OUT OF THE
18 ROOM.

19 THEY WERE SHOOTING AT THE CLOSET?

20 A. YEAH,

21 Q. HOW MANY SHOTS DID THEY FIRE INTO THE ROOM?

22 A. I FOUND ABOUT SEVEN -- ABOUT FOUR OR FIVE OF
23 THOSE THINGS, YOU KNOW.

24 Q. DID THEY HIT YOUR NEPHEW?

25 A. NO, THEY DIDN'T HIT HIM, BUT THE SWEATER HE

1 WAS HOLDING OVER HIS HEAD TO TELL THEM HE HADN'T DONE NOTHING
2 -- AND ALSO A RIFLE, MY NEPHEW SAID IT WAS A RIFLE THAT PUT A
3 BIG HOLE THROUGH THE WALL ABOUT THIS BIG. (INDICATING)

4 CHAIRMAN RHODES: REPRESENTATIVE WHITE.

5 REPRESENTATIVE WHITE:

6 Q. THEY WERE USING HANDGUNS OR WERE THEY USING
7 RIFLES, SHOTGUNS?

8 A. WELL, THEY SAID IT WAS A MAGNUM. I DON'T
9 KNOW, SIR.

10 Q. A MAGNUM?

11 A. YES, BECAUSE WHEN THEY PASSED ME I DON'T
12 KNOW WHAT KIND OF GUNS THEY HAD; BUT I KNOW MY KIDS WERE IN
13 THE BED AT THAT TIME. HOW THEY GOT OUT, I DON'T KNOW. BUT
14 THEY JUST COME IN AND STARTED FIRING, JUST LIKE THAT.

15 MY SON WAS LAYING DOWN, THE BULLET JUST WENT
16 OVER HIS HEAD, AND THE FRONT OF THE WINDOW SILL WAS BROKEN
17 UP, YOU KNOW.

18 Q. DO YOU RECALL THE NAMES OF ANY OF THOSE
19 POLICE OFFICERS?

20 A. THEY LEFT REAL FAST. I DON'T KNOW WHO THEY
21 WERE, BUT THOSE OFFICERS LEFT REAL FAST AND ONE SAID HIS
22 NAME, I THINK, OFFICER TRAVERS, SOMETHING LIKE THAT.

23 BUT THAT OFFICER, THE ONE WHO JERKED MY ARM,
24 MY DAUGHTER, LINDA, GOT HIS NAME. THE MAN STANDING --
25 OFFICER TRAVERS WASN'T DOING ANYTHING, HE WAS GUARDING THE

1 DOOR.

2 CHAIRMAN RHODES: WOULD YOU RECOGNIZE THE
3 OFFICERS IF YOU SAW THEM AGAIN?

4 A. YES, I'D RECOGNIZE HIM.

5 REPRESENTATIVE RICHARDSON: DID YOU GET ANY
6 BADGE NUMBERS OR NAMES?

7 A. YES. I GAVE THEM TO THE LAWYER.

8 REPRESENTATIVE RICHARDSON: THAT'S ALL RIGHT, WE
9 CAN GET THOSE NAMES FROM ANTHONY JACKSON, COUNSEL SITTING
10 HERE THIS EVENING.

11 CHAIRMAN RHODES:

12 Q. DID YOU EVER GET ANY APOLOGY FROM THE POLICE
13 DEPARTMENT ABOUT THIS MISTAKEN RAID ON THE HOUSE?

14 A. NO. BUT THE ONLY THING, I ASKED CAPTAIN
15 MOORE, I SAID, "WHAT ARE YOU GOING TO DO ABOUT MY FRONT DOOR
16 BEING LEFT OPEN ALL NIGHT?" THEY SAID THEY WOULD SENT A
17 COUPLE OF OFFICERS.

18 Q. YOU NEVER RECEIVED A FORMAL APOLOGY FOR
19 BREAKING IN YOUR HOUSE AND FIRING INTO YOUR BEDROOM?

20 A. NO. THEY SENT A LETTER TO ME YESTERDAY
21 ABOUT WRITING A LETTER TO THEM LETTING THEM KNOW WHAT
22 HAPPENED IN MY HOME, OR SOMETHING LIKE THAT. THEY DIDN'T
23 SEND NO APOLOGY OR NOTHING LIKE THAT.

24 Q. DID YOU FILE ANY COMPLAINT WITH THE CITY
25 ABOUT THAT?

1 A. YES, I DID.

2 Q. DO YOU HAVE THE RESPONSE FROM THE COMPLAINT?

3 A. NO, NOT YET.

4 LIKE I SAID, I WENT TO SEE SOME PEOPLE, WE
5 WENT TO SEE DOWN TO THE LAWYER'S OFFICE AND THEY DID TAKE ME
6 DOWN TO THE DISTRICT ATTORNEY'S OFFICE AND FILED A COMPLAINT
7 THERE.

8 Q. SO YOU HAD FILED A COMPLAINT WITH THE
9 DISTRICT ATTORNEY'S OFFICE?

10 A. YES.

11 AND THE CLOTHING -- I FOUND ABOUT SIX
12 CARTRIDGES.

13 Q. DID YOU TURN THEM OVER TO YOUR COUNSEL?

14 A. YES. AND I HAD A COUPLE OF BRUISES WHERE
15 THE OFFICER HAD JERKED ME THAT NIGHT.

16 REPRESENTATIVE WILLIAMS: WHAT ARE THE AGES OF
17 YOUR CHILDREN?

18 A. NINETEEN TO SIX YEARS OLD.

19 Q. HOW MANY CHILDREN DO YOU HAVE?

20 A. EIGHT.

21 CHAIRMAN RHODES: WHAT ARE THEIR AGES?

22 A. 19, 18, 17, 13, 12, 10, 9, 8 AND 6.

23 CHAIRMAN RHODES: OKAY, IS THAT THE END OF YOUR
24 ACCOUNT?

25 A. YES.

1 CHAIRMAN RHODES: REPRESENTATIVE WHITE, ANY
2 QUESTIONS?

3 REPRESENTATIVE WHITE: NO.

4 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

5 REPRESENTATIVE RICHARDSON:

6 Q. COULD YOU REPEAT THOSE AGES?

7 A. 19, 18, 17, 13, 12, 10, 8 AND 6.

8 CHAIRMAN RHODES: NO NINE?

9 A. NO.

10 REPRESENTATIVE RICHARDSON:

11 Q. I WOULD LIKE TO GO BACK TO THE INCIDENT IN
12 THE HOUSE. HAVE THERE BEEN PICTURES TAKEN OF THE BULLET
13 HOLES IN THE WALLS, OR IN THE CLOSET WHERE YOUR NEPHEW WAS?

14 A. YES, THE POLICE OFFICER TOOK PICTURES THAT
15 NIGHT.

16 Q. NO, NOT THEM.

17 A. AND MISS MCCLELLAN AND THEM TOOK PICTURES.

18 Q. FROM THE DISTRICT ATTORNEY'S OFFICE OR FROM
19 THE PROGRAM?

20 A. SERGEANT CONNELLY.

21 Q. DO YOU HAVE PICTURES YOURSELF?

22 A. NO.

23 Q. ARE THOSE BULLET HOLES STILL THERE IN THE
24 WALL, OR HAS THE WALL BEEN FIXED?

25 A. THE ONE IN THE CLOSET, THAT BULLET HOLE CAME

1 FROM THE CLOSET TO THE HALLWAY, YOU CAN LOOK AT THE HALLWAY
2 THROUGH THE CLOSET, THAT'S HOW BIG THAT HOLE IS.

3 Q. HOW BIG WOULD YOU SAY THAT HOLE IS?

4 A. ABOUT AS BIG AS A FIFTY-CENT PIECE.

5 Q. WHAT I WOULD SUGGEST JUST AS A MATTER OF
6 POINT, WOULD BE FOR YOU TO GET YOUR OWN PICTURES IN THE EVENT
7 THEY GET LOST, BURNT UP, THE RECORDS GET DISCARDED OR
8 ANYTHING LIKE THAT, FOR YOUR OWN PROTECTION SO YOU WOULD HAVE
9 IT AND TO SHARE THEM WITH COUNSEL.

10 WHERE YOUR SON WAS, WAS ON THE SECOND FLOOR?

11 A. YES, THE SECOND FLOOR BEDROOM.

12 Q. BACK OR FRONT?

13 A. FRONT WHERE THE SHOOTING OCCURRED.

14 Q. IN THIS PARTICULAR ROOM AS YOU WALK IN,
15 WHERE IS THE CLOSET RELATIVE TO THE DOOR?

16 A. THE CLOSET THAT GOT SHOT THROUGH?

17 Q. YES.

18 A. YOU WALK IN THE BEDROOM THIS WAY, THE
19 CLOSET IS BACK THAT WAY. (INDICATING)

20 Q. TO YOUR LEFT?

21 A. YES.

22 Q. AND HE WAS HIDING IN THE CLOSET?

23 A. HE WAS HIDING BEHIND A DRESSER.

24 Q. OKAY, HE WAS NOT IN THE CLOSET?

25 A. NO.

1 Q. BUT THEY SHOT INTO THE CLOSET?

2 A. YES.

3 Q. DID THEY CALL OUT ASKING HIM TO COME OUT OF
4 THE CLOSET BEFORE THEY SHOT?

5 A. LIKE I SAID, I WAS IN THE BACK ROOM AT THE
6 TIME. SOME WERE BACK IN THERE GETTING READY TO TEAR MY BEDS
7 UP, TURN MY BEDS OVER, AND THAT'S WHEN -- I DON'T KNOW WHAT,
8 YOU KNOW --

9 Q. DID THEY COME IN THE BACK BEDROOM?

10 A. THE OFFICER, YES, THEY WERE IN THE BACK
11 BEDROOM. THEY WERE STARTING TO TAKE CLOTHES OUT OF THE
12 CLOSETS, DUMP THE MATTRESSES, TURN THE BEDS OVER.

13 THEY SAID, "GO DOWNSTAIRS."

14 Q. SO HOW MANY BEDROOMS DID THEY AFFECT
15 UPSTAIRS?

16 A. ONE BEDROOM, ONE ON THE THIRD FLOOR FRONT --
17 I DON'T KNOW, I DIDN'T GO UP TO THE THIRD FLOOR, BUT THE
18 FRONT BEDROOM I KNOW.

19 Q. BACK, FRONT AND --

20 A. NOT THE BACK ROOM BECAUSE THEY DIDN'T GET
21 CHANCE TO PULL THAT UP, SO THEY LEFT THAT ALONE. JUST THE
22 THIRD FLOOR AND SECOND FRONT.

23 Q. HAVE YOU EVER HAD AN ENCOUNTER WITH THE
24 POLICE BEFORE, MRS. WILKINS, --

25 A. NO.

1 Q. -- IN THE EIGHT YEARS YOU HAD BEEN LIVING AT
2 THAT HOUSE?

3 A. NO.

4 Q. WHAT HAS BEEN THE REACTION OF YOUR CHILDREN
5 SINCE THE INCIDENT OCCURRED?

6 A. THEIR ONLY REACTION, THEY HAVE BEEN NERVOUS
7 FROM THIS. AND MY SON, IF YOU PUT THE WINDOW UP, WHEN I WAKE
8 UP THE WINDOW IS DOWN. HE GETS UP IN THE NIGHT AND PUTS IT
9 DOWN BECAUSE HE IS VERY SCARED. I DON'T CARE HOW HOT IT IS.

10 Q. SO IT HAS BEEN A VERY TRAUMATIC EXPERIENCE
11 FOR YOU AND YOUR FAMILY?

12 A. YES.

13 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS.

14 REPRESENTATIVE WILLIAMS: NO QUESTIONS.

15 CHAIRMAN RHODES: THANK YOU VERY MUCH, MRS.
16 WILKINS.

17 (WITNESS EXCUSED.)

18 OUR NEXT WITNESSES ARE MR. AND MRS. BANKS.

19 DO YOU BOTH ACKNOWLEDGE THAT YOU HAVE A
20 SUBPOENA IN YOUR POSSESSION TONIGHT?

21 MR. BANKS: YES.

22 MRS. BANKS: YES.

23 ---

24 MARY AND JOHNNY BANKS, SWORN.

25 CHAIRMAN RHODES: STATE YOUR NAMES FOR THE

1 RECORD, AND YOUR ADDRESS.

2 A. MARY BANKS, 2530 NORTH 51ST STREET.

3 A. JOHNNIE BANKS, SAME ADDRESS.

4 CHAIRMAN RHODES:

5 Q. WHICH OF YOU WOULD LIKE TO START?

6 A. (MRS. BANKS) ON SEPTEMBER 27TH OF 1977, I
7 WAS CALLED ON MY JOB THAT THREE OF MY CHILDREN WAS AT THE
8 22ND AND HUNTING PARK -- SEPTEMBER 22ND. THEY ASKED ME TO
9 COME UP AND GET THEM. THEY DIDN'T TELL ME WHAT THE TROUBLE
10 WAS.

11 I ARRIVED THERE PROBABLY ABOUT 4:00 O'CLOCK
12 AND I WENT TO THE DESK AND TOLD --

13 CHAIRMAN RHODES: WHICH DISTRICT WAS THIS?

14 A. I THINK IT'S THE 39TH, 22ND AND HUNTING
15 PARK.

16 CHAIRMAN RHODES: DO YOU KNOW WHAT NUMBER --

17 A. THE 39TH DISTRICT.

18 I WENT TO THE DESK AND ASKED TO SPEAK TO THE
19 OFFICER IN CHARGE. I TOLD HIM WHO I WAS AND I HAD A CALL ON
20 MY JOB TO COME PICK UP THREE OF MY CHILDREN. THEY ASKED ME
21 WHO WAS MY CHILDREN; I TOLD THEM RUBY BANKS, CYNTHIA BANKS,
22 AND KEVIN BANKS. HE TOLD ME HE HAD THEM BUT HE COULDN'T
23 RELEASE THEM AT THE TIME. I ASKED HIM WHAT WAS THEY CHARGED
24 WITH. HE TOLD ME THAT WHEN THE D.A. COME, SHE WOULD TALK
25 WITH ME.

1 ALL RIGHT, SO I ASKED IF I COULD SEE THEM
2 AND HE TOLD ME NO, I COULDN'T SEE THEM. SO I WAS SITTING ON
3 THE BENCH AND MY HUSBAND, HE CAME IN.

4 CHAIRMAN RHODES: HOW OLD WERE YOUR CHILDREN AT
5 THE TIME?

6 A. AT THE TIME RUBY WAS 17, KEVIN WAS 14 AND
7 CYNTHIA WAS 13.

8 I WAS SITTING ON THE BENCH AND MY HUSBAND HE
9 CAME IN AND HE WENT UP TO THE MAN AND ASKED IF HE COULD SEE
10 THE KIDS, AND HE WAS TOLD THAT HE COULDN'T SEE THEM. SO WE
11 STILL DIDN'T KNOW WHAT THE CHILDREN WERE CHARGED WITH.

12 IN THE MEANTIME ANOTHER PARENT CAME UP
13 BECAUSE IT WAS SIX CHILDREN HAD BEEN LOCKED UP. THE PARENT
14 CAME TO THE WINDOW ALSO AND ASKED IF SHE COULD SEE HER
15 DAUGHTER, WHICH WAS MONTAY, I DON'T KNOW HER LAST NAME. SHE
16 WAS GRANTED PERMISSION TO SEE HER DAUGHTER.

17 SO SHE WENT BACK IN THE BACK AND SHE WAS
18 BACK THERE. AND I GET UP AND I WENT TO THE WINDOW AGAIN AND
19 ASKED IF I COULD SEE MY CHILDREN. THEY STILL WOULDN'T LET ME
20 SEE THEM. SO I ASKED, "WHY WOULD YOU LET ONE PARENT GO SEE
21 THEIR CHILDREN AND NOT THE OTHER PARENT GO?"

22 SO THE OFFICER THERE GOT VERY NASTY WITH ME.
23 HE TOLD ME TO GO SIT THE HELL DOWN.

24 I HAD MY IDENTIFICATION CARD WITH ME WHERE I
25 WORKED --

1 REPRESENTATIVE RICHARDSON: WAS HIS NAME?

2 A. I DON'T KNOW HIS NAME.

3 REPRESENTATIVE WILLIAMS: WHAT DID HE SAY TO
4 YOU WHEN YOU ASKED, WHEN YOU SAID THAT? WHEN YOU ASKED HIM,
5 WHAT DID HE SAY?

6 MR. BANKS: WHAT HAPPENED, SHE SPOKE UP, HE
7 SAID SHE WAS A CASEWORKER WHICH AT THE TIME THE JOB SHE HAD
8 SHE WAS A CASEWORKER.

9 HE SAID, "WHO ARE YOU?" SHE SAID, "I AM A
10 CASEWORKER." HE SAID, "OH, SHUT THE HELL UP AND GET THE HELL
11 OUT OF HERE."

12 CHAIRMAN RHODES: IN YOUR OWN WORDS, WHAT DID
13 THE OFFICER ACTUALLY SAY TO YOU?

14 A. (MRS. BANKS) HE TOLD ME TO GET THE HELL OUT
15 FROM THERE AND SIT DOWN.

16 THEN I STARTED TO PUT UP A FUSS. BUT THEN
17 MY HUSBAND TOLD ME TO COME ON OUT AND SIT DOWN. SO I DID
18 THIS.

19 REPRESENTATIVE WILLIAMS: DID YOU KNOW YOUR
20 HUSBAND WAS THERE?

21 A. YES.

22 MR. BANKS: I WAS RIGHT THERE.

23 REPRESENTATIVE WILLIAMS: AND HE CURSED AT YOU
24 IN YOUR HUSBAND'S PRESENCE?

25 A. YES.

1 CHAIRMAN RHODES: YOU WERE BOTH THERE?

2 A. YES

3 CHAIRMAN RHODES: DID THE OFFICER SAY ANYTHING
4 TO YOU, MR. BANKS?

5 MR. BANKS: HE WAS TALKING TO HER. AFTER SHE
6 IDENTIFIED TO HIM WHO SHE WAS, HE SAID, 'YOU'RE A CASEWORKER?
7 JUST GET THE HELL OUT OF HERE.'

8 I KNEW IF WE STAYED THERE, WE WOULD ALL GO
9 TO JAIL. SO THE BEST THING, JUST FORGET ABOUT IT, JUST WAIT,
10 GO OUTSIDE AND WAIT.

11 REPRESENTATIVE WILLIAMS: YOU FEEL HE WAS
12 TRYING TO PROVOKE YOU BY INSULTING YOUR WIFE IN YOUR PRESENCE?

13 MR. BANKS: RIGHT, YOU KNOW --

14 CHAIRMAN RHODES: YOUR WHOLE FAMILY?

15 MR. BANKS: YES, MY WHOLE FAMILY WAS THERE,
16 RIGHT.

17 CHAIRMAN RHODES: GO AHEAD.

18 A. (MRS BANKS) IN THE MEANTIME, THE LADY COP
19 THE D.A. -- THE J.A.D. THEY CAME IN AND THEY WENT IN THE BACK
20 -- WELL, JUST BEFORE THEY GOT THERE, I COULD HEAR THE KIDS
21 SAYING THEY WANTED TO GO TO THE BATHROOM. SO I ASKED THEM IF
22 THEY COULD LET THE KIDS GO TO THE BATHROOM. HE SAID, 'YES,
23 IN A FEW MINUTES.'

24 WHEN THE POLICE LADY CAME IN, I ASKED HER IF
25 SHE WOULD GO BACK AND SEE THAT THE KIDS WENT TO THE BATHROOM?

1 SHE SAID SHE WOULD SEE THAT THEY GO. SHE WENT BACK THERE,
2 THEY DID GO TO THE BATHROOM, BECAUSE I SAW THEM COME OUT.

3 I WAS THERE ABOUT FIVE HOURS, THEN THEY LET
4 THE KIDS COME OUT. WHEN THE KIDS CAME OUT IN THE HALLWAY,
5 THEN THE J.A.D. SHE WAS TELLING ME -- I ASKED HER COULD SHE
6 TELL ME JUST WHAT HAPPENED, BECAUSE I HAD BEEN THERE FIVE
7 HOURS, I DON'T KNOW WHY THE KIDS WERE ARRESTED.

8 REPRESENTATIVE WILLIAMS: YOU WERE THERE FIVE
9 HOURS WITHOUT KNOWING WHAT YOUR CHILDREN WERE THERE FOR?

10 A. YES.

11 SO THEN SHE WAS TELLING ME THE KIDS WERE ON
12 THE NUMBER 2 BUS COMING HOME FROM SCHOOL. THERE WAS A GROUP
13 OF BOYS AT 17TH AND TIOGA HAD JUMPED ON THE BUS FROM WHERE
14 SOME PEOPLE HAD GOT ON, THEY HAD JUMPED ON WITHOUT PAYING.
15 THE CONDUCTOR TRIED TO GET THEM OFF, AND THEY PUT UP A BIG
16 RUCKUS AND SOME OTHER BOYS BUST OUT THE BACK WINDOW IN THE
17 BUS.

18 SO THEREFORE, WHEN HE GOT TO 17TH AND TIOGA,
19 I THINK IT WAS, THERE WAS A PADDY WAGON; HE STOPPED THE COP
20 AND TOLD THEM THAT HE HAD A RIOT ON THE BUS.

21 THE COPS GOT ON THE BUS, -- JUST TWO OF THEM
22 AT THE TIME -- THEY HAD THEIR BLACKJACKS OUT, CAME IN THE
23 BACK WHERE THE KIDS WAS AND TOLD THEM, 'ALL RIGHT, Y'ALL GET
24 THE FUCK OFF THE BUS.'

25 SO MY OLDEST DAUGHTER RUBY THEY SAID SHE

1 TOLD HIM, 'WELL, WE DIDN'T DO ANYTHING.' HE TOLD HER, 'YOU
2 HEARD WHAT I SAID, I WANT YOU THE 'F' OFF THE BUS.' SO MY
3 SON, KEVIN, TOLD HER, 'COME ON, RUBY,' AND THEN THE THREE OF
4 THEM GOT OFF THE BUS.

5 THE COP TOLD THEM, 'YOU ALL WALK THE HELL
6 HOME.' MY DAUGHTER HAD TWO TOKENS, SO SHE TOLD HIM, 'WELL, I
7 AM GOING TO CATCH THE NEXT BUS.' HE TOLD HER, 'YOU ARE NOT
8 GOING TO GET ON WHILE I'M STANDING UP HERE.'

9 SO WHEN THE NEXT BUS CAME, SHE TRIED TO GET
10 ON, HE GRABBED HER, KNOCKED HER DOWN ON THE GROUND. WELL,
11 WHEN HE DID THIS --

12 REPRESENTATIVE WILLIAMS:

13 Q. IS THAT THE 17-YEAR-OLD?

14 A. YES.

15 Q. SHE IS A GIRL?

16 A. YES.

17 Q. WAS HE A WHITE COP OR BLACK?

18 A. HE'S A WHITE COP. I HAVE THE PAPER, IT'S
19 ALL HERE IN THE PAPER.

20 AND HE KNOCKED HER DOWN ON THE GROUND. AND
21 HER GIRLFRIEND SHE SAYS, 'WELL, I AM GOING OVER TO GET THE
22 NUMBER OF THE PATROL WAGON.' WHEN SHE WENT OVER TO GET THE
23 NUMBER, THE OTHER COP GRABBED HER AND HIT HER WITH A
24 BLACKJACK,

25 WHEN HE HIT HER WITH THE BLACKJACK, HER

1 BROTHER WAS THERE, AND HE CAME BUSTING THROUGH THE CROWD --
2 BECAUSE IT WAS ABOUT 50 KIDS STANDING UP THERE WATCHING THIS
3 -- AND HE SAID, 'YOU HIT MY SISTER.'

4 IN THE MEANTIME THE COP THAT HAD HIT HIS
5 SISTER PUT HIS HAND ON HIS GUN AND TOLD THE CHILD, HE SAID,
6 'YOU RUN, YOU RUN.'

7 Q. WAS THIS A GIRL?

8 A. HE TOLD HER 13-YEAR-OLD BROTHER TO RUN.

9 AND SO ONE OF THE BOYS FROM THE CROWD --

10 Q. DO YOU KNOW HIS NAME?

11 A. THE CHILD? THEY CALL HIM RODNEY.

12 Q. NO, THE POLICEMAN.

13 A. WELL, I HAVE THEM AT HOME, AND MY LAWYER HAS
14 IT.

15 AND THE PADDY WAGON, THE COPS THREW THOSE
16 KIDS IN THE PADDY WAGON.

17 THE WHOLE TIME THEY WERE IN THE PADDY WAGON
18 ONE OF THEM WAS HITTING THE KIDS WITH THE BLACKJACKS.

19 WHEN THEY GOT UP TO THE POLICE --

20 Q. THE GIRLS TOO?

21 A. YES, THE GIRLS TOO.

22 WHEN THEY GOT UP TO THE POLICE STATION, WHEN
23 THEY GOT UP THERE THEY GOT OUT AND ABOUT SIX OR SEVEN COPS
24 LINED THEM UP AT THE POLICE WAGON AND WAS CALLING THEM 'COAL'
25 AND 'LITTLE BLACK BEADS' AND 'LITTLE WHORES,' AND DIFFERENT

1 NASTY NAMES.

2 AND WHEN THEY GOT IN THE POLICE CELL, THEY
3 PUT THE BOYS IN ONE AND THE GIRLS IN ANOTHER; AND THEY STILL
4 HARASSED THEM THE WHOLE TIME THEY WERE IN THERE.

5 MY DAUGHTER'S JACKET GOT TORN OFF OF HER.

6 Q. BY WHOM?

7 A. BY THE POLICEMAN BECAUSE HE GRABBED IT AND
8 JUST PULLED IT, AND IT JUST RIPPED APART.

9 Q. IN THE STATION?

10 A. YES.

11 REPRESENTATIVE RICHARDSON: WAS SHE WEARING
12 ANYTHING UNDER IT?

13 A. YES, SHE HAD A SWEATER, THAT WAS RIPPED.

14 REPRESENTATIVE RICHARDSON: GO AHEAD.

15 A. AND LIKE I SAID, WHEN WE GOT UP THERE THEY
16 WOULDN'T EVEN LET ME SEE THEM.

17 THEY WOULDN'T LET THEM GO TO THE BATHROOM.
18 THEY TOLD THEM TO HOLD THEIR WATER UNTIL THEIR BEHINDS BUST
19 OPEN.

20 REPRESENTATIVE WILLIAMS: WHO SAID THAT, THE
21 ARRESTING OFFICER?

22 A. I DON'T KNOW WHO. THIS WAS THE STATEMENT
23 MADE TO THE GIRLS.

24 CHAIRMAN RHODES: PROCEED.

25 CHAIRMAN RHODES:

1 Q. HOW LONG WERE YOU AT THE STATION BEFORE YOU
2 WERE TOLD?

3 A. ABOUT FIVE HOURS.

4 Q. THEN WHAT WERE YOU TOLD?

5 A. (MR. BANKS) THEY HAD ONE J.A.D. THERE, BUT
6 THE ONE IN CHARGE CAME IN, WE HAD TO WAIT FOR HER TO COME IN.
7 THEY HAD CHARGES, ARRESTED FOR ASSAULT AND
8 BATTERY, RIOT, DISTURBING THE PEACE. AFTER AWHILE THEY
9 CHANGED IT, THEY DROPPED ALL THE CHARGES, DIDN'T ARREST THEM
10 FOR NOTHING:

11 Q. THEY DECIDED TO DROP ALL THE CHARGES?

12 A. YES. THEN THEY SAID WE COULD TAKE THEM HOME
13 WITH US.

14 AND AT FIRST WE COULDN'T SEE THE KIDS.

15 Q. WHAT'S THE FIRST THING YOU NOTICED ABOUT THE
16 PHYSICAL APPEARANCE OF YOUR CHILDREN WHEN YOU SAW THEM AFTER
17 THEY WERE RELEASED?

18 A. (MRS. BANKS) MY DAUGHTER, HER BLOUSE WAS
19 TORN; AND MY SON, KEVIN, HE WAS ALL UPSET, HE HAD BEEN
20 CRYING. BECAUSE HE DOES SUFFER WITH ASTHMA AND HE WAS ALL
21 UPSET, HE COULDN'T HARDLY TALK WHEN I TRIED TO QUESTION HIM
22 TO FIND OUT WHAT HAPPENED.

23 MY BABY DAUGHTER SHE WAS CRYING AND SHE WAS
24 ALL UPSET.

25 REPRESENTATIVE WILLIAMS: DID THEY ASK HIM

1 WHETHER OR NOT HE HAD ANYTHING LIKE ASTHMA BEFORE THEY PUT
2 HIM IN THE CELL?

3 A. NO.

4 CHAIRMAN RHODES: DID HE HAVE ANY BRUISES, DID
5 YOU NOTICE ANY BRUISES?

6 A. MY DAUGHTER, RUBY, HER THUMB WAS SWOLLEN AND
7 SPRAINED. I TOOK HER TO TEMPLE HOSPITAL. THEY X-RAYED IT;
8 THEY SAID IT WASN'T BROKEN, BUT SPRAINED. THEY WRAPPED IT
9 UP, TOLD HER TO SOAK IT ABOUT A WEEK OR TWO AND TOLD HER TO
10 COME BACK IF SHE HAD ANY OTHER PROBLEMS.

11 REPRESENTATIVE WILLIAMS:

12 Q. HAD YOU EVER HAD ANY PROBLEMS WITH THE
13 POLICE BEFORE?

14 A. (MR. BANKS) YES, WE HAD AN INCIDENT.

15 Q. INVOLVING THE CHILDREN OR YOU?

16 A. MY CHILDREN AND US. WE WERE ON 16TH STREET,
17 WE LIVED OVER TOP OF A BAR. SO THE BURGLAR ALARM WENT OFF --
18 WE HAD A SILENT BURGLAR ALARM WHICH WE CAN'T HEAR. SO AROUND
19 3:00 O'CLOCK IN THE MORNING WE HEARD BANGING, IT WOKE ME UP
20 AND THE KIDS WERE SCREAMING AND HOLLERING. THEY BREAK IN THE
21 DOOR. I DON'T KNOW WHAT TO DO, SO I GRABBED A BUTCHER KNIFE.
22 IT'S A GOOD THING I DIDN'T KILL HIM BECAUSE I SAW THE BADGE,
23 BECAUSE THEY HAD A HALLWAY BULB,

24 HE BUSTS IN, COMES IN THE DOOR.

25 I SAID, "WHAT'S GOING ON?" HE SAID, "WELL,

1 THEY ARE BREAKING IN THE BAR DOWNSTAIRS." I SAID, "WE LIVE
2 UP HERE, THE BAR IS DOWNSTAIRS." I SAID, "THIS IS AN
3 APARTMENT HOUSE. YOU HAVE PEOPLE ON THE THIRD FLOOR AND
4 SECOND, YOU ARE IN THE HALLWAY, YOU KNOW."

5 SO I WENT TO THE POLICE STATION AT 17TH AND
6 MONTGOMERY, BUT NOBODY COULD GIVE ME NO KIND OF SATISFACTION.
7 I SAID NOW MY HOUSE STILL OPEN, MY HALLWAY DOOR IS BUSTED, MY
8 ROOM DOOR IS BUSTED. WE CAN'T SLEEP BECAUSE ANYBODY CAN WALK
9 IN HERE.

10 THIS IS THE KIND OF STUFF THAT'S GOING ON,
11 NOTHING BEING DONE ABOUT IT; MY DOOR IS KNOCKED DOWN. HE
12 SAID, "WELL, THEY ARE DRINKING DOWNSTAIRS." I SAID, "WELL, I
13 LIVE UPSTAIRS, NOT DOWNSTAIRS."

14 THEY KNOCKED MY DOOR DOWN, THEY HEAR THE
15 KIDS, KNOW SOMEBODY GOT TO STAY THERE.

16 Q. MRS. BANKS, YOU ARE A CASEWORKER?

17 A. (MRS. BANKS) YES.

18 Q. FOR THE CITY OR STATE?

19 A. I WORK AT 18TH AND DIAMOND, STATE AND CITY
20 PEOPLE.

21 Q. ARE YOU WORKING, MR. BANKS?

22 A. (MR. BANKS) I WORK FOR THE CITY.

23 Q. HOW DO YOU FEEL AS PARENTS RAISING CHILDREN,
24 TO HAVE HAD CHILDREN BE SUBJECTED TO WHAT YOU HAVE JUST
25 TESTIFIED TO, HOW DO YOU FEEL?

1 A. (MRS. BANKS) I FEEL TERRIBLE ABOUT IT
2 BECAUSE I FIGURE LIKE THIS HERE: THE POLICE ARE SUPPOSED TO
3 UPHOLD THE LAW, WHICH IS TRUE; BUT YOU ARE NOT SUPPOSED TO GO
4 AROUND AND ABUSE SMALL KIDS.

5 AND LIKE I SAID, THEY DIDN'T GET ON THE BUS
6 TO TRY TO FIND OUT WHO DIDN'T PUT A TOKEN IN THERE; THEY JUST
7 GOT IN THERE AND STARTED CALLING THE KIDS NAMES.

8 Q. YOU FEEL YOU HAVE TAKEN ENOUGH?

9 A. RIGHT.

10 Q. BEING SUBJECTED TO YOUR CHILDREN BEING
11 ARRESTED BY A MALE AND YOUR DAUGHTER BEING BEATEN BY A MALE
12 POLICE OFFICER, YOU BEING INSULTED AT THE POLICE STATION;
13 YOU MUST HAVE SOME FEELING ABOUT THAT?

14 A. YES, WE WERE SICK ABOUT IT.

15 REPRESENTATIVE RICHARDSON:

16 Q. HAD ANY OF YOUR CHILDREN EVER BEEN ARRESTED
17 BEFORE?

18 A. (MRS. BANKS) NO, NO.

19 A. (MR. BANKS) NO.

20 CHAIRMAN RHODES: THANK YOU, MR. AND MRS.
21 BANKS. WE APPRECIATE YOU COMING FORWARD.

22 (WITNESSES EXCUSED.)

23

24 ----
25 NADIRA DUNSCHEE, 2000 WEST CHELTENHAM
AVENUE, PHILADELPHIA, PA., AFFIRMED.

1 CHAIRMAN RHODES: THE PURPOSE OF YOUR
2 TESTIMONY, I AM TOLD, IS TO PUT ON THE RECORD AN INCIDENT
3 THAT OCCURRED JUST A FEW MINUTES AGO DURING OUR HEARINGS.

4 A. YES.

5 CHAIRMAN RHODES: SO WHY DON'T YOU PROCEED IN
6 YOUR OWN WORDS AND AS CAREFULLY AND SUCCINCTLY AS YOU CAN,
7 EXPLAIN EXACTLY WHAT HAPPENED.

8 A. TWO FRIENDS, THREE ASSOCIATES AND MYSELF
9 WERE STANDING OUTSIDE OF WAYLAND BAPTIST CHURCH, 25TH AND
10 COLUMBIA, WE WERE HAVING A CONVERSATION.

11 A PADDY WAGON DROVE UP, WENT TO THE LIGHT,
12 BACKED BACK, NOTICED I, ABDUL -- I DON'T KNOW HIS WHOLE NAME,
13 BUT HE GAVE TESTIMONY.

14 CHAIRMAN RHODES: JON.

15 A. AND SMILEY WHO ARE TWO MEN WHO WEAR THE
16 DREADLOCK HAIRDO. IF YOU DON'T KNOW, YOU WOULD ASSUME THEY
17 ARE MEMBERS OF MOVE, WHICH THEY ARE NOT.

18 I AM GOING UNDER THE ASSUMPTION THE POLICE
19 THOUGHT THEY WERE MOVE MEMBERS.

20 AT THIS TIME THEY GET OUT OF THE WAGON, THEY
21 ASKED ABDUL AND SMILEY FOR I.D. BECAUSE THEY THOUGHT THEY HAD
22 WARRANTS FOR THEIR ARRESTS. AND I EXPLAINED TO THE POLICEMEN
23 THAT HE HAD JUST WENT THROUGH THIS SCENE WITH THEM ON THE WAY
24 TO THE HEARING AND HE DIDN'T UNDERSTAND WHAT WAS GOING ON.

25 AT THIS TIME MR. SIMMONS ASKED THE POLICE

1 OFFICER, "WELL, DO YOU HAVE PICTURES OR SOME TYPE OF
2 SOMETHING TO SHOW THE PEOPLE THAT HE AND SMILEY ARE ONE OF
3 THE PEOPLE THAT YOU WANT?" AND ONE COP SAID NO.

4 THEN BY THIS TIME TWO MORE WAGONS HAD
5 ARRIVED AND TWO POLICE CARS HAD COME UP. THE SECOND PADDY
6 WAGON HAD ARRIVED, THE POLICE OFFICER GOT OUT; AND WHEN MR.
7 SIMMONS ASKED THEM HE SAID, "WELL, MAYBE I CAN FIND
8 SOMETHING."

9 AT THIS TIME HE WENT TO HIS WAGON AND CAME
10 BACK WITH TWO SHEETS OF PICTURES OF MOVE MEMBERS. AND THE
11 TWO COPS THAT WERE THERE IN THE BEGINNING AT THIS POINT THEY
12 WERE HARASSING ARDUL AS TO, YOU KNOW LIKE, "WE HAVE TO TAKE
13 YOU DOWN BECAUSE WE NEED TO KNOW IF YOU ARE ONE OF THE ONES
14 FOR THESE WARRANTS."

15 AND I ASKED HIM THE SAME QUESTION THAT
16 REPRESENTATIVE WILLIAMS ASKED, "WELL, WE THOUGHT ALL THE
17 PEOPLE THAT HAD THE WARRANTS WERE IN THE HOUSE, SO HOW CAN HE
18 BE ONE OF THEM OUT HERE IN THE STREET?" AND THE COPS THEN
19 SAID, "WELL, SOME OF THEM ARE IN THE STREET. WE JUST
20 ARRESTED ONE TODAY."

21 AND AT THIS TIME ALL OF YOU CAME OUT, AND
22 THE COPS STARTED COOLING OFF.

23 REPRESENTATIVE WHITE: DOES EVERYONE WHO WEAR
24 THEIR HAIR IN THE DREADLOCK STYLE CONSIDER THEMSELVES MEMBERS
25 OF MOVE?

1 A. NO, THEY DO NOT.

2 REPRESENTATIVE WILLIAMS:

3 Q. AS FAR AS YOU KNOW, THEY MAY NOT BE A MEMBER
4 OF MOVE?

5 A. AS FAR AS I KNOW IN THIS COUNTRY YOU ARE
6 SUPPOSED TO HAVE FREEDOM OF CHOICE TO BELIEVE IN WHAT YOU
7 WANT TO BELIEVE IN.

8 Q. IS THE PERSON YOU ARE REFERKING TO AS ABDUL
9 WHO WAS THE PERSON THAT THE POLICE CAME UP TO, THE SAME
10 PERSON WHO SAID HE WAS ALSO KNOWN AS MICHAEL JONES WHO
11 TESTIFIED EARLIER AT THIS HEARING?

12 A. NO, NOT MICHAEL JONES.

13 REPRESENTATIVE RICHARDSON: THAT IS HIS A/K/A.

14 REPRESENTATIVE WILLIAMS:

15 Q. HE TESTIFIED HIS A/K/A IS MICHAEL JONES; AND
16 THAT IS THE SAME PERSON YOU TALKED ABOUT?

17 A. YES.

18 Q. THE SAME PERSON WHO TESTIFIED HE HAD BEEN
19 ARRESTED EARLIER TODAY?

20 A. YES.

21 Q. HE HAS BEEN IDENTIFIED, FIRST OF ALL, AS NOT
22 BEING A MEMBER OF MOVE OR UNDER ANY COURT ORDER OR --

23 A. NO, HE IS NOT.

24 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

25 REPRESENTATIVE RICHARDSON:

1 Q. WHAT I WANT TO SPECIFICALLY ASK YOU IS
2 WHETHER OR NOT YOU GOT ANY OF THE BADGE NUMBERS OR NUMBERS OF
3 THE CARS OR WAGONS?

4 A. ONE WAS 17 -- ONE PADDY WAGON WAS 1702, THAT
5 WAS THE FIRST PADDY WAGON THAT ARRIVED.

6 NOW I DIDN'T GET THE BADGE NUMBERS NOR THE
7 NAMES BECAUSE I GET EXCITED QUICK.

8 REPRESENTATIVE WILLIAMS: ONE OTHER THING: WHEN
9 WE WERE CALLED OUTSIDE I REMEMBER AT LEAST FIVE POLICE
10 VEHICLES, I THINK FOUR PADDY WAGONS AND ONE POLICE CAR AND I
11 THINK ANOTHER ONE.

12 A. THERE WERE TWO POLICE CARS, ONE ON 25TH
13 STREET AND THEN THERE WAS A POLICE CAR ON COLUMBIA AVENUE.

14 CHAIRMAN RHODES: NADIRA, WOULD YOU SUSPEND A
15 MOMENT. REPRESENTATIVE WHITE WOULD LIKE TO PUT SOMETHING
16 INTO THE RECORD.

17 REPRESENTATIVE WHITE: YES, RELATING TO THE
18 INCIDENT THE SISTER HAS JUST TESTIFIED TO, ONE OF THE
19 OFFICERS I MYSELF IDENTIFY AS OFFICER SMITH WHO, WHEN I ASKED
20 WHAT HE WAS DOING, TOLD ME THAT BECAUSE THIS INDIVIDUAL
21 LOOKED -- BECAUSE HE WORE HIS HAIR THAT WAY, HE SAID
22 INDICATED HE WAS A MEMBER OF MOVE AND HE HAD TO COMPLETE HIS
23 INVESTIGATION.

24 AND LET THE RECORD ALSO SHOW THAT THE NUMBER
25 OF ONE OF THE OTHER WAGONS PARKED IN FRONT OF THE CHURCH WAS

1 NUMBER 2303.

2 CHAIRMAN RHODES: THANK YOU, REPRESENTATIVE
3 WHITE.

4 REPRESENTATIVE RICHARDSON: ALSO WHEN I GOT
5 OUTSIDE, WHICH I WAS PROBABLY THE FIRST REPRESENTATIVE TO GET
6 OUT THE DOOR, ALREADY RECOGNIZING THE SCENE, IT WAS THE
7 OFFICER WHO ASKED US TO STEP TO THE SIDE, I DO NOT KNOW HIS
8 NAME, THE TRUCK 2303 AND HE INDICATED HE WAS TRYING TO DO HIS
9 JOB. HE SAID THEY HAD ORDERS TO STOP ANYONE WHO WAS WEARING
10 THEIR HAIR LIKE THAT, AND THEY WERE SUPPOSED TO TAKE THEM IN.

11 I, IN TURN, INDICATED TO THE CIVIL
12 DISOBEDIENCE EARLIER, AT 17TH AND MONTGOMERY, THE 22ND
13 DISTRICT, TO IDENTIFY THE FACT THAT MR. ABDUL JON IS NOT A
14 MEMBER OF MOVE; AND I WOULD JUST WANT TO STATE THAT FOR THE
15 RECORD.

16 CHAIRMAN RHODES: THANK YOU, SISTER NADIRA.

17 REPRESENTATIVE RICHARDSON: COULD WE ESTABLISH
18 THE TIME?

19 CHAIRMAN RHODES: ABOUT WHAT TIME DID THIS
20 OCCUR?

21 A. IT WAS 10:00 O'CLOCK.

22 CHAIRMAN RHODES: THANK YOU VERY MUCH FOR BEING
23 WITH US.

24 (WITNESS EXCUSED.)

25 CHAIRMAN RHODES: THIS HEARING OF THE

1 SUBCOMMITTEE ON CRIME AND CORRECTIONS OF THE HOUSE JUDICIARY
2 COMMITTEE OF THE HOUSE OF REPRESENTATIVES OF THE COMMONWEALTH
3 OF PENNSYLVANIA IS NOW ADJOURNED UNTIL TOMMOROW.

4

5

(ADJOURNED AT 11:00 O'CLOCK P. M.)

6

7

8

9	**	COMPUTER TRANSCRIPTION SYSTEM	**
10	**	DATE AUGUST 3, 1978	**
11	**	REPORTERS LORETTA E. MASSEY	**
12	**	LOUIS RICHARDSON	**
13	**	ADDRESS RAPID REPORTING SERVICE, INC.	**
14	**	SUITE 1102-10	**
15	**	1405 LOCUST STREET	**
16	**	PHILADELPHIA, PENNSYLVANIA	**
17	**	TELEPHONE 732-4334	**

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