

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
HARROWGATE COMMUNITY CENTER
2085 EAST TIOGA STREET
PHILADELPHIA, PENNSYLVANIA

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

SIXTH DAY
FRIDAY, AUGUST 4, 1978

COMPUTER TRANSCRIPT PREPARED BY:
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PRESENT:

REP. JOSEPH RHODES, JR., CHAIRMAN

REP. ALJIA DUMAS

REP. JOHN F. WHITE, JR.

REP. HARDY WILLIAMS

REP. WILLIAM HUTCHINSON

REP. DAVID RICHARDSON

REP. MARK COHEN

MICHAEL REILLY, ESQ., CHIEF COUNSEL

VAN BRASWELL, ESQ., SPECIAL COUNSEL

ALSO PRESENT:

REP. MATTHEW CIANCIULLI

REP. ROBERT BORSKY

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(5:30 O'CLOCK P. M.)

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

THIS IS THE PUBLIC HEARING OF THE SUBCOMMITTEE ON CRIME AND CORRECTIONS OF THE HOUSE JUDICIARY COMMITTEE, PURSUANT TO RESOLUTION 109 WHICH WAS PASSED LAST JULY IN THE HOUSE OF REPRESENTATIVES OF THE COMMONWEALTH OF PENNSYLVANIA GRANTING SUBPOENA POWER TO THIS SUBCOMMITTEE, THIS STANDING SUBCOMMITTEE OF THE HOUSE, TO CONDUCT AN INVESTIGATION AND PUBLIC HEARINGS INTO THE PROBLEMS OF ORGANIZED CRIME, PUBLIC CORRUPTION AND CIVIL RIGHTS VIOLATIONS BY AND ON POLICE.

THIS COMMITTEE HAS CONDUCTED EXTENSIVE INVESTIGATIONS AND HEARINGS THROUGHOUT THE STATE ON THE PROBLEMS OF ORGANIZED CRIME AND OFFICIAL CORRUPTION.

IT BEGAN ITS CIVIL RIGHTS VIOLATIONS BY AND ON POLICE INVESTIGATION THREE WEEKS AGO WITH HEARINGS IN HARRISBURG AND HEARINGS IN PHILADELPHIA TWO WEEKS AGO, AND FINALLY THIS WEEK HOLDING A SERIES OF HEARINGS IN THE CITY OF PHILADELPHIA, ASKING FOR PUBLIC TESTIMONY OF PEOPLE WHO HAVE PERSONAL KNOWLEDGE OR EXPERIENCES OR INSIGHT INTO THE

1 PROBLEMS OF ALLEGED CIVIL RIGHTS VIOLATIONS BY THE POLICE
2 DEPARTMENT OF THE CITY OF PHILADELPHIA ON THE CITIZENS OF
3 THIS CITY.

4 THE PURPOSE OF OUR HEARING IS TO DETERMINE
5 THE EXTENT OF THE PROBLEM AND WHAT, IF ANYTHING, SHOULD THE
6 COMMONWEALTH OF PENNSYLVANIA DO ABOUT IT.

7 I AM JOSEPH RHODES, JUNIOR, CHAIRMAN OF THE
8 SUBCOMMITTEE FROM ALLEGHENY COUNTY. WITH US TONIGHT ARE
9 MEMBERS OF THE SUBCOMMITTEE TO MY LEFT: REPRESENTATIVE JOHN
10 WHITE OF PHILADELPHIA COUNTY. TO HIS LEFT, TO HIS EXTREME
11 LEFT, REPRESENTATIVE DAVID RICHARDSON.

12 AND SITTING WITH THE SUBCOMMITTEE TONIGHT TO
13 MY LEFT, REPRESENTATIVE ROBERT BORSKY, WHO IS REPRESENTATIVE
14 OF THIS DISTRICT. WE ARE VERY GLAD TO HAVE REPRESENTATIVE
15 BORSKY TO SIT WITH THE SUBCOMMITTEE AND WE ARE GLAD THAT HE
16 EXTENDED HIS GRACIOUS HOSPITALITY TO HAVE US MEET IN HIS
17 DISTRICT.

18 TO MY EXTREME RIGHT IS REPRESENTATIVE
19 MATTHEW CIANCIULLI, A MEMBER OF THE HOUSE OF REPRESENTATIVES
20 OF PHILADELPHIA COUNTY, WHO IS ALSO SITTING AS A GUEST WITH
21 THE SUBCOMMITTEE TONIGHT.

22 SITTING WITH US TO MY RIGHT IS VAN BRASWELL,
23 SPECIAL COUNSEL FOR THIS INVESTIGATION OF THE SUBCOMMITTEE.

24 OUR FIRST WITNESS TONIGHT, A SPECIAL GUEST,
25 CITY COUNCILMAN JAMES TAYOUN WHO SERVED FOR MANY YEARS WITH

1 ME AND OTHER MEMBERS OF THE COMMITTEE IN THE HOUSE OF
2 REPRESENTATIVES; AND IT IS A GREAT HONOR TO HAVE COUNCILMAN
3 TAYOUN WITH US TONIGHT.

4 COUNCILMAN TAYOUN, DO YOU HAVE IN YOUR
5 POSSESSION A SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE OF
6 THE HOUSE OF REPRESENTATIVES?

7 COUNCILMAN TAYOUN: YES, I JUST RECEIVED IT.

8

9 COUNCILMAN JAMES J. TAYOUN, SWORN.

10 CHAIRMAN RHODES: YOU MAY PROCEED, COUNCILMAN,
11 IN ANY MANNER YOU WOULD LIKE, AND WE WILL ASK QUESTIONS
12 LATER.

13 A. I WOULD LIKE TO SAY I GET A FEELING OF
14 INTIMIDATION BY HAVING TO SWEAR IN BECAUSE IN THE OLD DAYS
15 WHEN WE RAN HEARINGS IN HARRISBURG WE TRUSTED EVERYBODY. I
16 DON'T KNOW WHAT IS HAPPENING TO YOU PEOPLE ANYMORE.

17 I SIT BEFORE YOU AS THE CHAIRMAN OF THE
18 COMMITTEE ON PUBLIC SAFETY IN THE CITY COUNCIL OF
19 PHILADELPHIA, THE COMMITTEE CHARGED WITH THE RESPONSIBILITY
20 OF LEGISLATING ON ALL AFFAIRS DEALING WITH POLICE, FIREMEN
21 AND ANY AND ALL EVENTS IN MATTERS PERTAINING TO THE SAFETY OF
22 THE PUBLIC IN THIS GREAT CITY.

23 BEFORE US AT THIS TIME WE DO HAVE SOME
24 LEGISLATION THAT DEALS DIRECTLY WITH THE ISSUANCE OF NEW
25 GUIDELINES THAT WOULD DELVE DEEPLY INTO WHETHER OR NOT THE

1 POLICE HAVE RESPONDED ADEQUATELY IN THE PAST AND GUIDELINES
2 OUTLINING WHETHER OR NOT -- OUTLINING FOR THEIR FUTURE
3 GUIDELINES TO WHICH THEY MUST ADDRESS THEMSELVES AND RESPOND
4 IN THE FUTURE SHOULD THIS LEGISLATION BECOME LAW.

5 NOW, UNFORTUNATELY, BEING IN A CITY OF THIS
6 SIZE, EVEN THOUGH IT IS THE LARGEST IN THE COMMONWEALTH, AND
7 REPRESENTING MANY MORE PEOPLE AS A DISTRICT COUNCILMAN THAN I
8 DID AS A STATE REPRESENTATIVE, DESPITE THE SIZE AND NUMBERS
9 AND THE AWESOME RESPONSIBILITIES, WE DO NOT HAVE AT OUR GOOD
10 STEAD THE ABILITY TO USE THE RESOURCES YOU HAVE, THAT IS,
11 STAFF AND THE ABILITY TO HOLD HEARINGS ON A STATEWIDE AND ON
12 A LOCAL BASIS.

13 THEREFORE, I AM ASKING ON BEHALF OF MY
14 COMMITTEE AND AS CHAIRMAN OF THE PUBLIC SAFETY, ONE, THAT YOU
15 PLEASE MAKE AVAILABLE TO US THE RESULTS OF YOUR FINDINGS AND
16 YOUR INTERPRETATIONS AS YOU WILL SEE THEM, SO THAT WE CAN
17 LEND YOUR WEIGHT AND YOUR TESTIMONY TO THE DELIBERATIONS THAT
18 ARE ONGOING CONCERNING THE LEGISLATION IN FRONT OF US SO THAT
19 WE CAN DETERMINE, ONE, IF THE PRESENT LEGISLATION INTRODUCED
20 IS SOLID AND WORTH HOLDING -- AND WORTH BRINGING THE PUBLIC
21 FORUMS TO HEARING AND WHETHER OR NOT ADDITIONAL LEGISLATION
22 IS NEEDED OR OTHER LEGISLATION IS NEEDED, WHICH WE WILL HAVE
23 INTRODUCED AND THEN HOLD HEARINGS ON THE SAME SO THAT THE
24 PUBLIC WOULD GET AN IDEA OF WHAT IS NECESSARY OR NOT
25 NECESSARY TO MAKE IT EFFECTIVE IF AT ALL A POLICE ABUSE BILL,

1 AS THE BILL IS SO-CALLED, IS NEEDED.

2 WE ARE NOT SURE AT THIS TIME FROM THE AMOUNT
3 OF TESTIMONY GIVEN TO US BY PRIVATE CONCERNS, BY COMMUNITY
4 GROUPS, BY LEADING ACTIVISTS, BY LETTERS THAT WE HAVE
5 RECEIVED FROM THE DISTRICT ATTORNEY'S OFFICE SUGGESTING
6 AMENDMENTS, BY CORRESPONDENCE WITH THE POLICE DEPARTMENT, AND
7 BY THE INITIATORS OF PRESENT LEGISLATION BEFORE US, THAT THE
8 ABUSE PROBLEM IS SUCH WHERE RIGID GUIDELINES ARE NECESSARY.

9 SOME OF OUR FEARS ARE OBVIOUS. WE FEEL THAT
10 IN PROSCRIBING RIGID LAWS OF CONFORMITY FOR THE POLICE TO
11 RESPOND TO, WE COULD BE ACTUALLY CREATING LOOPHOLES FOR THEM.
12 BY THE SAME TOKEN, BY FORCING THE POLICE TO SUBSCRIBE TO A
13 RIGID SET -- A RIGID FORMAT WHEN IT IS NECESSARY FOR THEM TO
14 RESPOND TO ACCUSATIONS OF ABUSE, ET CETERA, YOU MIGHT BE
15 INHIBITING THEIR ABILITY TO ENFORCE THE LAW. SO YOU HAVE
16 SEVERAL SCHOOLS OF THOUGHT COMING BEFORE US.

17 WE SENSE ALSO SOME MISTRUST BETWEEN THE
18 COMMUNITY AND THE POLICE, AND BETWEEN THE POLICE AND THE
19 COMMUNITY.

20 SO WHAT YOU ARE DOING NOW TO US IS GOD-SEND,
21 BECAUSE IT GIVES US A CHANCE TO BENEFIT FROM YOUR
22 PERFORMANCE, FROM YOUR INITIATIVE AND FROM YOUR ACTIONS.

23 SO AS SOON AS YOU GET EVERYTHING TOGETHER,
24 WE WOULD APPRECIATE HAVING COPIES OF SAME.

25 CHAIRMAN RHODES:

1 Q. COUNCILMAN TAYOUN, THAT IS A VERY POSITIVE
2 RECOMMENDATION TO THE SUBCOMMITTEE AND I AM SURE THE
3 SUBCOMMITTEE CAN COMPLY WITH IT. I JUST WANT TO GET ON THE
4 RECORD SO THAT WE KNOW EXACTLY WHAT YOU EXPECT FROM US.

5 IS IT OUR UNDERSTANDING YOU ARE REQUESTING
6 THAT WE SUBMIT OUR REPORT ON THE POLICE CIVIL RIGHTS
7 VIOLATIONS INVESTIGATION TO YOU AND TO THE CITY COUNCIL?

8 A. TO ME AND TO CITY COUNCIL ALONG WITH YOUR
9 SUGGESTIONS AND RECOMMENDATIONS, IF YOU CARE TO MAKE ANY.

10 Q. AS PART OF OUR REPORT ARE YOU RECOMMENDING
11 TO THIS SUBCOMMITTEE THAT WE COMMENT ON THE PROPOSED
12 LEGISLATION BEFORE COUNCIL AND BEFORE YOUR COMMITTEE?

13 A. IF YOU SEE FIT. IT IS NOT NECESSARY BECAUSE
14 WE HAVE FOUND ALREADY SO MANY LOOPHOLES IN THE PRESENT
15 LEGISLATION BEFORE US THAT IT WILL OBVIOUSLY HAVE TO BE
16 AMENDED TO GIVE IT SOME TEETH.

17 Q. WE FIND THAT A VERY HELPFUL SUGGESTION,
18 COUNCILMAN TAYOUN. I THINK I CAN SPEAK FOR THE SUBCOMMITTEE
19 THAT WE WOULD BE MORE THAN WILLING TO COMPLY WITH THAT
20 REQUEST.

21 A. IF YOU HAVE NO QUESTIONS OF ME, I WILL
22 LEAVE.

23 CHAIRMAN RHODES: ARE THERE ANY QUESTIONS OF
24 THE SUBCOMMITTEE?

25 REPRESENTATIVE RICHARDSON: YES, SIR.

1 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.
2 REPRESENTATIVE RICHARDSON:

3 Q. COUNCILMAN, COULD YOU ELABORATE A LITTLE
4 BIT ON THE BILL THAT IS PRESENTLY IN CITY COUNCIL PROPOSED
5 PRIOR TO THE AMENDMENTS? WHAT IS HOUSE BILL 1063?

6 A. HOUSE BILL 1063 WAS INTRODUCED BY DR. ETHEL
7 ALLEN AND COUNCILMAN LUCIEN BLACKWELL. IT ESTABLISHES A
8 FORMAT BY WHICH THE POLICE ARE ASKED TO RESPOND TO
9 ALLEGATIONS OF ABUSE THAT MIGHT BE LEVIED AGAINST THEM BY
10 ANYONE IN THE COMMUNITY. IT PROSCRIBES AMONG ITS HIGHLIGHTS
11 NUMBERED COMPLAINT FORMS. AND THE REASON FOR THE NUMBERED
12 AFFIDAVIT, BECAUSE IN THE PAST THERE WAS ALWAYS A FEAR THAT
13 IF A PERSON COMPLAINED AGAINST THE POLICE AND THEY WENT TO
14 THE DISTRICT POLICE STATION AND FILED A COMPLAINT, THAT THAT
15 COMPLAINT COULD WIND UP IN THE WASTEBASKET AND NOBODY WOULD
16 HAVE A RECORD OF IT.

17 IF THE COMPLAINT IS FILLED OUT IN A NUMBERED
18 RECEIPT FORM, A COPY OF THAT RECEIPT -- A COPY OF THAT FORM
19 IS HANDED TO THE INDIVIDUAL. THERE WILL ALWAYS BE A RECORD
20 SOME PLACE. AND IF A NUMBER IS MISSING, IT IS OBVIOUS
21 SOMEONE DID AWAY WITH IT.

22 THAT IS AN EXCELLENT POINT IN ITSELF, AND
23 THAT IS ONE OF THE ITEMS THAT HAS ALREADY BEEN PICKED UP AND
24 USED IN THE NEW DIRECTIVES INITIATED BY THE POLICE DEPARTMENT
25 SUBSEQUENT TO THE INTRODUCTION OF THAT LEGISLATION. I AM NOT

1 IN A POSITION TO SAY WHETHER OR NOT THE BILL WAS A CATALYST
2 TO THE NEW POLICE DIRECTIVES, BUT I WOULD SAY IT WAS A NUDGE
3 IN THE RIGHT DIRECTION, ON THE RECORD.

4 THERE WERE OTHER POINTS IN THE BILL AND IN
5 PARTICULAR, IT CAN BE SUMMED UP TO SAY THAT THE LEGISLATION
6 CALLS FOR WRITTEN DETAIL OF EVERY COMPLAINT. I FIND THIS
7 VERY WEIGHTY ON THE POLICE FORCE AND I FIND IT MIGHT CREATE
8 AN EMBARRASSMENT UNNECESSARILY TO SOME PEOPLE WHO MIGHT BE
9 ACCUSED UNJUSTLY AND UNWARRANTEDLY SIMPLY BECAUSE SOMEBODY
10 HAS AN AX TO GRIND AND, FOLLOWING AN INVESTIGATION, BE
11 TOTALLY CLEARED.

12 BUT THE PUBLIC WOULD HAVE ACCESS OF ANY
13 DOCUMENTATION OF THE CHARGE REGARDLESS OF HOW FRIVOLOUS OR
14 UNFOUNDED IT WAS AND THAT PERSON'S CHARACTER COULD BE
15 BESMIRCHED. SO THERE IS A DANGER IN THAT.

16 THE POLICE NOW IN MANY CASES SIMPLY REPORT
17 TO THE INDIVIDUALS WHO FILED THE COMPLAINT THE RESULTS OF
18 THEIR FINDINGS, AND TO THE SATISFACTION OF THAT INDIVIDUAL.

19 IF THE INDIVIDUAL IS NOT SATISFIED, HE
20 CARRIES IT ON. AND IN THE END, THE POLICE GO BEFORE THEIR
21 OWN POLICE BOARD OF INQUIRY WHEN THEY FEEL THEY HAVE ENOUGH
22 EVIDENCE TO BRING AGAINST THE MAN AND IT LOOKS LIKE AN
23 INDICTMENT IN COURT.

24 BASICALLY WHAT 1063 DOES IS INSIST THAT
25 EVERYTHING GO ON PUBLIC RECORD.

1 Q. COUNCILMAN TAYOUN, THERE HAS BEEN TESTIMONY
2 BEFORE THIS COMMITTEE THAT HAS BEEN BROUGHT TO THE ATTENTION
3 OF THIS COMMITTEE THAT THERE SEEMS TO BE A BOTTLENECK OR
4 SOMEHOW A COVERUP OF 1063 NOT BEING ALLOWED TO COME OUT OF
5 COMMITTEE CONCERNING THE SERIOUS PROBLEM IN THE CITY OF
6 PHILADELPHIA.

7 MY QUESTION SPECIFICALLY TO YOU IS, COULD
8 YOU SHARE AN OPINION WITH THIS COMMITTEE CONCERNING THE
9 PROBLEM OF POLICE VIOLENCE AND POLICE BRUTALITY IN THE CITY
10 OF PHILADELPHIA AGAINST THE CITIZENS?

11 A. WELL, LET ME ADDRESS MYSELF TO THE
12 BOTTLENECK, OKAY.

13 Q. TO THE WHAT?

14 A. TO THE BOTTLENECK. THE ONLY BOTTLENECK
15 REFERRED TO COULD PROBABLY BE ME BY MY REFUSAL TO BE
16 INTIMIDATED AND PUSHED INTO A SITUATION THAT I FEEL FROM
17 WHICH I CANNOT RETREAT. I DO NOT WANT TO PRESENT TO A PUBLIC
18 HEARING, SIMPLY TO HAVE A PUBLIC HEARING, A BILL THAT DOESN'T
19 MEET, I THINK, THE FULL REQUIREMENTS THAT'S BEING ASKED OF IT
20 BY THE ENTIRE PUBLIC.

21 THE BILL PRESENTS SOME SEGMENTS OF WHAT I
22 FEEL IS DESIRED BY THE PUBLIC. IT DOESN'T PRESENT
23 EVERYTHING.

24 THE D.A. PROVES THAT POINT BY SENDING ME HIS
25 AMENDMENTS TO IT. I HAVE MY OWN AMENDMENTS. I HAVE BEEN

1 LABORIOUSLY SEEKING HELP FROM THE VERY ACTIVISTS -- I CALL
2 THEM 'ACTIVISTS' AND 'LETTERHEAD ORGANIZATIONS,' BECAUSE I
3 SEE THE SAME FACES ALL THE TIME AT CITY COUNCIL WEARING
4 DIFFERENT BADGES, ONE WEEK IT'S ONE CAUSE AND ANOTHER WEEK
5 IT'S ANOTHER CAUSE -- I ASKED THESE PEOPLE FOR HELP IN
6 DOCUMENTING THEIR CHARGES. I HAVE GIVEN THEM TIME. EVERY
7 TIME THEY HAVE COME TO ME LOOKING FOR INFORMATION FROM THE
8 POLICE DEPARTMENT, I HAVE GOTTEN THEM THE INFORMATION.

9 AT ONE POINT THEY ASKED FOR THE NEW POLICE
10 DIRECTIVES. I GOT THEM THE POLICE DIRECTIVES WHICH THEY SAID
11 WERE NOT PERMITTED TO BE MADE PUBLIC. THEY HAD THEM. I
12 MIMEOGRAPHED THEM, ZEROXED THEM, AND GAVE THEM OUT FOR PUBLIC
13 DISSEMINATION. YET THE SAME GROUP WENT TO THE SUPREME COURT
14 AND, IN ITS PETITION AGAINST THE POLICE DEPARTMENT, STATED
15 THAT THEY HAD BEEN REFUSED THESE DIRECTIVES.

16 WHEN YOU ARE DEALING WITH PEOPLE WHO TALK
17 TWO-FACED, IT IS HARD TO GET SOMETHING SATISFACTORY. THAT IS
18 WHY I AM COMING TO YOU FOR HELP.

19 AS FAR AS THE PROBLEM EXISTING, IT IS
20 OBVIOUS THERE ARE CASES THAT WARRANT THE ATTENTION VERY
21 SERIOUSLY ENTRUSTED TO A PUBLIC OFFICIAL. WE CANNOT KEEP OUR
22 HEADS IN THE SAND AND WE CANNOT KEEP OUR EYES CLOSED. WE
23 HAVE TO LOOK AT THE PROBLEMS AS THEY OCCUR AND WE HAVE TO
24 FIND OUT WHY THEY ARE OCCURRING, WHAT IS CREATING THE
25 CATALYST THAT BRINGS MORE AND MORE FREQUENT ACCUSATIONS FROM

1 THE PUBLIC, IF SUCH IS THE CASE.

2 YOU ARE FINDING THAT OUT. YOU HAVE THE
3 STAFF. YOU HAVE THE RESOURCES. WE DON'T. WE NEED YOUR HELP
4 IN GIVING US THE INFORMATION THAT WILL FINALLY DETERMINE
5 THROUGH YOU FOR US WHAT TYPE OF LEGISLATION WE WILL GO TO THE
6 FORMUM WITH FOR PUBLIC HEARINGS.

7 CHAIRMAN RHODES: ANY OTHER QUESTIONS,
8 REPRESENTATIVE RICHARDSON?

9 REPRESENTATIVE RICHARDSON: HE HASN'T FINISHED
10 ANSWERING THE REST OF IT.

11 A. THAT'S IT. I GAVE YOU THE WHOLE THING,
12 INCLUDING MY PHILOSOPHY ON THE POLICE. YOU ARE NOT
13 LISTENING, DAVID.

14 REPRESENTATIVE RICHARDSON:

15 Q. I DID LISTEN, COUNCILMAN. MY QUESTION WAS:
16 WHAT IS YOUR OPINION ABOUT THE PROBLEM OF THE CITY RELEVANT
17 TO THE SERIOUSNESS AND WHETHER OR NOT YOU RECOGNIZE THE --

18 A. I THINK IF HE READS BACK THE NOTES, YOU WILL
19 FIND I ANSWERED IT.

20 Q. OKAY, YOU CHOOSE NOT TO ANSWER, THAT'S
21 FINE.

22 A. I ANSWERED IT. IF HE READ THE NOTES BACK,
23 YOU WILL FIND I ANSWERED IT.

24 Q. MAYBE YOU DIDN'T HEAR MY QUESTION.

25 A. I ANSWERED YOUR QUESTION. I HAVE HEARD IT

1 TWICE.

2 Q. WELL, I WILL ASK ANOTHER QUESTION.

3 (DISCUSSION OFF THE RECORD.)

4 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON, DO
5 YOU HAVE ANOTHER QUESTION?

6 REPRESENTATIVE RICHARDSON: YES, I HAVE ANOTHER
7 QUESTION, MR. CHAIRMAN. IT IS VERY SIMPLE.

8 A. IF ANYONE OF YOU ON THE PANEL FEEL I DIDN'T
9 ANSWER IT, I WILL RE-ANSWER IT.

10 CHAIRMAN RHODES: I THINK YOU ANSWERED THE
11 QUESTION.

12 A. THANK YOU.

13 CHAIRMAN RHODES: DO YOU HAVE ANOTHER QUESTION,
14 REPRESENTATIVE RICHARDSON?

15 REPRESENTATIVE RICHARDSON: I THINK HE DIDN'T.
16 I ASKED THE QUESTION.

17 REPRESENTATIVE RICHARDSON:

18 Q. MY SPECIFIC QUESTION TO YOU IS WHETHER OR
19 NOT IN THE CITY OF PHILADELPHIA YOU KNOW WHO RUNS THE
20 PHILADELPHIA POLICE DEPARTMENT? IS IT THE MAYOR OF THE CITY
21 OF PHILADELPHIA OR IS IT THE POLICE COMMISSIONER?

22 A. I THINK THE POLICIES OF THE POLICE
23 DEPARTMENT ARE SET BY THE MAYOR. I THINK THE COMMISSIONER
24 ENFORCES IT; AND THAT IS THE WAY IT SHOULD BE.

25 Q. YOU THINK THAT?

1 A. IF THEY AREN'T, THEN WE HAVE GOT A BAD
2 MAYOR.

3 Q. OKAY, YOU SAID THAT.

4 ALL RIGHT, THANK YOU VERY MUCH.

5 CHAIRMAN RHODES: THANK YOU, REPRESENTATIVE
6 RICHARDSON.

7 WE WILL COME BACK TO REPRESENTATIVE BORSKY.
8 REPRESENTATIVE WHITE, DO YOU HAVE ANY
9 QUESTIONS?

10 REPRESENTATIVE WHITE?

11 Q. COUNCILMAN, I WANT TO THANK YOU FOR COMING
12 OUT THIS EVENING AND PRESENTING THE STATEMENT THAT YOU DID,
13 AND I ALSO WANT TO THANK YOU FOR WHAT I SENSE IS AN AIR OF
14 COOPERATION ON YOUR PART AS A REPRESENTATIVE OF COUNCIL AND
15 AS CHAIRMAN OF THE PUBLIC SAFETY COMMITTEE IN CITY COUNCIL.

16 WE HAD, AS YOU KNOW, ONE OF YOUR COLLEAGUES
17 BEFORE US EARLIER THIS WEEK WHO GAVE EXTENSIVE TESTIMONY
18 ABOUT THE LEGISLATION THAT IS PROPOSED AS WELL AS SPEAKING
19 TOWARDS THE GENERAL ATTITUDE, THE GENERAL ATTITUDE THAT
20 COUNCIL MIGHT HAVE AT THIS TIME TOWARDS THE POLICE ABUSE
21 QUESTION.

22 WHAT HE SAID, IF MY NOTES ARE CORRECT, IS
23 THAT COUNCIL HAS NOT THE WILL TO ACT TO CORRECT THE PROBLEM
24 OF POLICE ABUSE IN THIS CITY.

25 A. WHO IS THE COLLEAGUE?

1 Q. IT WAS COUNCILMAN COLEMAN.

2 A. COUNCILMAN COLEMAN ALWAYS SAYS THAT. FOR
3 SOME REASON HE CREATES THE IMPRESSION HE CANNOT ACT. WE
4 DON'T UNDERSTAND WHY. HE HAS PUT HIMSELF IN A BOX ON SEVERAL
5 OCCASIONS BY SAYING HE DOESN'T HAVE THE WILL TO ACT.

6 WE HAVE THE WILL TO ACT. WE ARE AN
7 INDEPENDENT BRANCH OF GOVERNMENT. I AM ACTING AT MY OWN
8 SPEED AS A RESPONSIBLE CHAIRMAN OF A RESPONSIBLE COMMITTEE TO
9 DO WHAT I CAN FOR THE ENTIRE PUBLIC.

10 YOU HAVE TO REMEMBER I HAVE GONE FROM BEING
11 AMONG THE SO-CALLED "OPPRESSORS" TO BEING THE OPPRESSED. I
12 HAVE BEEN PICKETED AT MY RESTAURANT, MY LIVELIHOOD AFFECTED
13 BY PEOPLE INSISTING THAT I COME OUT WITH THIS LEGISLATION
14 NOW. I DON'T UNDERSTAND THEIR HASTE.

15 I REALIZE WE HAVE A PROBLEM. I THINK YOU
16 WILL PROBABLY COME OUT WITH THE FACT THAT WE HAVE A PROBLEM.
17 I AM HOPING YOU WILL FIND THE REASONS FOR THE PROBLEMS; AND
18 THAT IS WHAT I AM REALLY INTERESTED IN FINDING OUT. YOU
19 DON'T JUST PUT BAND AIDS ON A SITUATION, WE REALLY COME UP
20 WITH SOMETHING HEALTHY.

21 I AM NOT ALLOWING MYSELF TO BE INTIMIDATED
22 AND I AM NOT REACTING ADVERSELY BY SAYING, "NOW BECAUSE OF
23 WHAT YOU PEOPLE HAVE DONE TO ME AND MY FAMILY I'M GOING TO
24 SAY, 'THE HELL WITH YOU FOREVER.'"

25 NO. I AM HERE. YOU DIDN'T SUBPOENA ME.

1 EVEN THOUGH YOU GAVE ME A SUBPOENA JUST NOW, I CAME HERE
2 WILLINGLY AND I ASKED TO TESTIFY. I CAME TO YOU. THE REASON
3 I HAVEN'T GONE ANYWHERE ELSE IS BECAUSE THIS WEEK HAS BEEN A
4 VERY BUSY WEEK FOR US IN COUNCIL. IF IT WEREN'T FOR
5 REPRESENTATIVE CIANCIULLI WHO KINDLY OFFERED TO PICK ME UP
6 AND DRIVE ME, I STILL WOULD BE STUCK ATTENDING TO SOME
7 CHORES. IN FACT, HE DRAGGED ME OUT OF A MEETING TO REMIND ME
8 I SHOULD BE HERE. SO WE ARE HERE, WE ARE WILLING.

9 NOW, HE IS SPEAKING FOR HIMSELF, MR.
10 COLEMAN. HE IS NOT SPEAKING FOR COUNCIL.

11 OUR ENTIRE COMMITTEE HAS BEEN CHECKED. THEY
12 ARE MOST ANXIOUS TO SEE SOMETHING HAPPEN. THEY ARE GIVING ME
13 INPUT, AND WE ARE DOING OUR HOMEWORK.

14 Q. I WANT TO CLARIFY FOR YOU THE REASON WHY I
15 AM ASKING THE QUESTIONS, COMPARING THE TESTIMONY OF
16 COUNCILMAN COLEMAN TO WHAT YOU HAVE STATED HERE THIS EVENING.
17 IT COULD BE VERY EASY FOR THE PUBLIC AND THE MEMBERS OF THIS
18 COMMITTEE TO PERCEIVE WHAT COUNCILMAN COLEMAN HAS SAID AS A
19 TRUE PICTURE OF WHAT COUNCIL IS ABOUT, WITH REGARD TO THE
20 QUESTION.

21 HE ALSO STATED, FOR EXAMPLE, THAT IN
22 RESPONSE TO THE QUESTION: WHAT CONTROL OVER THE POLICE
23 DEPARTMENT DOES CITY COUNCIL HAVE, HIS RESONSE WAS,
24 'ABSOLUTELY NONE.'

25 A. WE CONTROL THEIR BUDGET TO A DEGREE.

1 Q. I AM SORRY. HE DID SAY THAT ASIDE FROM
2 BUDGETARY MATTERS, THERE WAS ABSOLUTELY NONE.

3 A. WE DON'T CONTROL THEIR POLICIES ANY MORE
4 THAN WE CONTROL THE POLICIES OF THE STREETS DEPARTMENT, THE
5 WATER DEPARTMENT, ET CETERA.

6 IN 1951, WHEN THEY CAME OUT WITH A STRONG
7 CITY CHARTER, THEY PURPOSELY WEAKENED COUNCIL BECAUSE IN THE
8 SIXTY YEARS IN WHICH COUNCIL HELD SUPREME, THE CITY BECAME A
9 CESSPOOL OF FIEFDOMS THAT VIED FOR POWER, ET CETERA, AND GAVE
10 AWAY A LOT OF DLALS, PATRONAGE WAS RAMPANT, ET CETERA. UNDER
11 A STRONG MAYORALITY SYSTEM, YOU ARE ABLE ALL TO PUT THE BUCKS
12 IN FRONT OF ONE PERSON AND SAY, "YOU ARE RESPONSIBLE FOR
13 EVERYTHING," AND BLAME HIM OR PRAISE HIM.

14 COUNCIL HAS ITS LEGISLATIVE ROLE AND IS
15 SUPPOSED TO DO IT WELL. AND IN DOING AND EXERCISING OUR
16 LEGISLATIVE ROLE WE DO HAVE SOME INFLUENCE ON THE POLICE
17 DEPARTMENT. LEGISLATION SUCH AS THIS IS AN INFLUENCE ON THE
18 POLICE DEPARTMENT.

19 THEY WOULD NOT RESPOND, MAYBE, TO THE AVERAGE
20 CITIZEN, BUT WHEN I CALL, THEY QUICKLY COME WITH WHATEVER
21 INFORMATION IT IS I REQUEST OF THEM BECAUSE THEY KNOW I AM
22 VESTED WITH THE RESPONSIBILITY OF HANDLING LEGISLATION THAT
23 AFFECTS THEM.

24 Q. CAN WE TALK SPECIFICALLY ABOUT ONE PORTION
25 OF THE BILL THAT COUNCILMAN COLEMAN INTRODUCED. I REALIZE

1 YOUR TIME IS LIMITED, BUT I THINK IF WE HURRY WE CAN KIND OF
2 GET THIS OUT OF THE WAY.

3 THAT IS THE ONE DEALING WITH THE PROPOSAL
4 FOR AN INDEPENDENT POLICE REVIEW BOARD WHICH WOULD ALLOW FOR
5 THE POLICE COMMISSIONER TO MAKE CERTAIN APPOINTMENTS TO THAT
6 BODY TO REVIEW VARIOUS COMPLAINTS FILED BY CITIZENS SOMEWHAT
7 ON THE ORDER OF THE CITIZENS' REVIEW BOARD WE HAD HERE SOME
8 YEARS AGO, ONLY WITH A LITTLE MORE ADDITIONAL CONTROLS, THAT
9 IS, FROM THE COMMISSIONER'S OFFICE AS WELL AS ADDITIONAL
10 COMMUNITY PEOPLE AND POLICE DEPARTMENT OFFICIALS SERVING
11 TOGETHER.

12 A. THE QUESTION WAS, WHAT WERE MY THOUGHTS ON
13 THAT?

14 Q. YES.

15 A. I AM NOW PRESENTLY SETTING UP A MEETING WITH
16 MERCER TATE, WHO WAS CHAIRMAN OF THE PREVIOUS AND LAST POLICE
17 REVIEW BOARD, AT HIS REQUEST TO GO OVER WHAT HE FEELS WOULD
18 BE MEANINGFUL LEGISLATION AND MEANINGFUL INPUT INTO THAT BILL
19 AS HE SEES IT, BECAUSE I BELIEVE RIGHT NOW HE IS UNHAPPY WITH
20 THE WAY IT IS CONSTRUCTED TOO.

21 SO ONCE THE PACKAGE COMES OUT AND ONCE IT
22 PASSES, I AM SURE THAT WOULD BE ONE OF THE KEY ITEMS IN THE
23 BILL. MY PROBLEM IS I CANNOT COMMENT AS A PERSON, ONE, AS
24 TO WHETHER OR NOT THE MAKEUP OF THAT PANEL IS A CORRECT
25 MAKEUP; WHETHER OR NOT THERE IS ENOUGH COMMUNITY INPUT INTO

1 IT; WHETHER OR NOT THERE ARE ENOUGH CONTROLS TO MAKE SURE IT
2 CANNOT BE MANIPULATED FROM THE INSIDE.

3 THAT'S WHAT WE WANT TO ADDRESS OURSELVES TO
4 IN HEARINGS; AND I THINK MERCER TATE WILL PROBABLY ADD A
5 GREAT DEAL FROM HIS OWN EXPERIENCE. SO WE DO HAVE A MEETING
6 COMING UP WITHIN THE NEXT COUPLE OF WEEKS.

7 Q. DO YOU ACKNOWLEDGE THE NEED FOR LEADERSHIP
8 IN TALKING BASICALLY ABOUT CITY GOVERNMENT TO WORK TOWARDS
9 BETTERING RELATIONS BETWEEN COMMUNITY PEOPLE AND THE POLICE
10 DEPARTMENT?

11 A. IN ALL DEPARTMENTS. THE ENTIRE COMMUNITY IS
12 NOT AWARE OF HOW VITALLY IMPORTANT GOVERNMENT IS TO THEM, AND
13 IT HAS A TENDENCY TO WALK AWAY FROM ALL OF US, INCLUDING
14 YOURSELVES. 'US' MEANING YOU AS WELL.

15 I BLAME OURSELVES AND OUR REFUSAL TO EDUCATE
16 THE PUBLIC, THE NECESSITY OF GETTING INVOLVED WITH THE
17 ELECTED OFFICIALS, BECAUSE WE'RE ALL THAT'S LEFT BETWEEN THEM
18 AND A MORASS OF AN ARABIC GOVERNMENT SYSTEM OF BUREAUCRACY,
19 CIVIL SERVICE AND UNIONS THAT DON'T RESPOND TO ANYBODY.
20 WITHOUT YOU AND WITHOUT US REPRESENTING THEM, THERE IS
21 NOTHING LEFT. THE GOVERNMENT WILL TAKE OVER EVERYTHING.

22 I THINK WE HAVE FAILED IN SOME RESPECTS TO
23 BETTER OUR PUBLIC IMAGE; AND IN HEARINGS TO WHICH YOU ARE
24 ADDRESSING YOURSELVES AND TO WHICH I AM NOW ATTENDING ARE OUR
25 WAY OF SHOWING PEOPLE THAT GOVERNMENT IS JUST AS RESPONSIBLE

1 AS WE ARE TO GET AS INVOLVED. SO WE ARE WORKING TO BETTER
2 THE IMAGE. THIS IS THE WAY YOU ARE DOING IT AND THE WAY I AM
3 TRYING TO HELP YOU DO IT.

4 REPRESENTATIVE WHITE: THANK YOU, COUNCILMAN.
5 CHAIRMAN RHODES:

6 Q. JIMMY TAYOUN, I HAVE KNOWN YOU A LONG TIME.
7 I HAVE A LOT OF RESPECT FOR YOU, FOR YOUR WORD AND FOR YOUR
8 DECENCY.

9 THIS COMMITTEE HAS SAT IN PHILADELPHIA FOR
10 FOUR DAYS AND WE HAVE LISTENED TO SOME PRETTY GHASTLY STORIES
11 FROM ALL OVER THE CITY. THEY ARE FROM PEOPLE WHO ARE POOR,
12 FROM PEOPLE WHO ARE RICH, FROM PEOPLE WHO ARE MIDDLE-CLASS,
13 FROM WHITE PEOPLE, FROM BLACK PEOPLE, FROM PROFESSIONAL
14 PEOPLE, FROM WORKING PEOPLE. AND THE STORIES AMOUNT TO A
15 WAVE OF ACCUSATIONS AIMED AT THE CITY OF PHILADELPHIA POLICE
16 DEPARTMENT.

17 YOU ARE UNDER OATH, BUT THAT IS NOT THE MAIN
18 THING. THE MAIN THING IS I RESPECT YOUR DECENCY, AND WE HAVE
19 GOT TO EVALUATE, WE HAVE GOT TO WEIGH THE CREDIBILITY AND THE
20 CREDENCE OF WHAT WE HAVE HEARD ALL WEEK.

21 I NEED TO KNOW, ON THE RECORD AND UNDER
22 OATH, IN YOUR OPINION, AS A CITY COUNCILMAN AND AS A
23 PHILADELPHIAN, HOW SERIOUS IS THE PROBLEM OF POLICE
24 VIOLATIONS OF CITIZENS' CIVIL RIGHTS THROUGH VIOLENCE AND
25 ABUSE IN THE CITY OF PHILADELPHIA?

1 A. I WISH I COULD ANSWER THAT WITH A YES OR NO
2 ANSWER. BUT WITH THE INFORMATION THAT YOU HAVE GATHERED,
3 THAT I COULD NOT GATHER, THAT I ASKED ALL THESE GROUPS TO GO
4 GATHER FOR ME --

5 Q. I AM NOT ASKING YOU FOR A YES OR NO ANSWER.

6 A. NOW, WAIT A MINUTE, LET ME ANSWER IT.

7 I AM GOING TO SIT DOWN, ONCE I GET YOUR
8 TESTIMONY, AND I AM GOING TO GO TO THE POLICE DEPARTMENT
9 WHICH I AM SURE HASN'T RESPONDED TO YOUR INVESTIGATION AT
10 ALL, YOUR HEARINGS AT ALL.

11 Q. NO.

12 A. AND DEMAND FROM THEM A TOTAL REPORT AS TO
13 THEIR FINDINGS AND THEIR RECORDS TO EACH CASE. I THINK IN
14 DOING THAT, AND WHAT YOU HAVE GIVEN ME AND WHAT I WILL BE
15 ABLE TO GET FROM THEM, MY COMMITTEE WILL BE ABLE TO SIT DOWN
16 AND SAY TO OURSELVES, "FOR CHRIST'S SALES, THERE IS A
17 COVERUP," OR, "FOR CHRIST'S SALES, THERE IS NOTHING HERE.
18 THIS HAS BEEN FOUND HERE."

19 WHAT MORE DO THESE PEOPLE WANT, "THIS WAS
20 DONE," YOU SEE. I DON'T KNOW.

21 Q. YOU DON'T KNOW?

22 A. I HAVE BEEN BEGGING FOR -- LET ME TELL YOU
23 SOMETHING. THERE WOULD BE A CASE AND THE POLICEMAN FOUND
24 GUILTY AND HE PROBABLY WAS FOUND GUILTY BY THE ACTIONS OF THE
25 POLICE DEPARTMENT, YOU SEE.

1 WE HAVE GOT TO DETERMINE WHETHER OR NOT THE
2 POLICE DEPARTMENT -- IS THE POLICE DEPARTMENT SERIOUS IN ITS
3 EFFORTS IN HANDLING --

4 Q. COUNCILMAN TAYOUN, WE HAVE TO BE CAREFUL NOT
5 TO PRETEND LIKE WE LIVE IN AN ALICE IN WONDERLAND WORLD.

6 A. I AM NOT PRETENDING ANYTHING.

7 Q. OKAY, NOT YOU, NOT YOU --

8 A. I AM NOT GOING TO GO AHEAD AND CRITICIZE AN
9 ENTIRE DEPARTMENT BECAUSE OF SOME THINGS YOU HEAR.

10 Q. YOU SAY YOU CAN'T GIVE AN ANSWER UNTIL WE
11 GIVE YOU A REPORT.

12 A. I HAVE GOT TO FINISH.

13 Q. THAT'S ALL RIGHT, GO AHEAD. IF YOU CAN'T
14 GIVE AN ANSWER UNTIL YOU HAVE A CHANCE TO EVALUATE THE
15 INFORMATION, FINE. THAT'S YOUR ANSWER?

16 THAT IS YOUR ANSWER, ISN'T IT?

17 A. NO. MY ANSWER IS I WANT TO FIND OUT FROM
18 YOU GUYS.

19 Q. THAT IS YOUR ANSWER, THAT YOU CAN'T GIVE AN
20 ANSWER UNTIL WE GIVE SOME REPORT?

21 A. THAT IS RIGHT.

22 Q. I AM NOT QUIBBLING WITH THAT.

23 A. NEXT QUESTION.

24 Q. I AM NOT QUIBBLING WITH THAT ANSWER. I AM
25 JUST TRYING TO GET IT ON THE RECORD.

1 A. YES.

2 Q. THE TESTIMONY THAT WE GOT FROM THE NEW YORK
3 CITY POLICE DEPARTMENT AND FROM THE FORMER CHIEF OF POLICE OF
4 THE BOSTON POLICE DEPARTMENT WHO IS NOW CHIEF OF THE
5 MONTGOMERY COUNTY DEPARTMENT IN MONTGOMERY COUNTY, MARYLAND,
6 AND FROM OTHER NATIONAL POLICE OFFICIALS IS THAT IF YOU RELY
7 ON CRIMINAL PROSECUTIONS TO PROTECT CITIZENS FROM POLICE
8 EXCESS, YOU WILL HAVE AN UNBRIDLED, UNRESTRAINED POLICE
9 DEPARTMENT, BECAUSE THE TEST OF CRIMINAL PROSECUTION IS TOO
10 SEVERE A TEST TO PROTECT CITIZENS --

11 A. I UNDERSTAND THAT.

12 Q. -- BEYOND A REASONABLE DOUBT.

13 A. THAT IS OBVIOUS.

14 Q. THAT IS OBVIOUS, YOU ACCEPT THAT?

15 A. I ACCEPT THAT.

16 Q. THE SECOND POINT IS: IF YOU HAVE AN
17 ADMINISTRATIVE SANCTION SYSTEM, AN ADMINISTRATIVE REVIEW
18 SYSTEM, EITHER OF SHOOTING INCIDENTS OR CITIZENS'
19 COMPLAINTS, WITHOUT THE MUSCLE OF ADMINISTRATIVE POLICY
20 COMMITMENT BEHIND THAT PROCEDURE TO GUARANTEE THAT THE
21 RECOMMENDATIONS FOR DISCIPLINE ARE CARRIED OUT BY THE SENIOR
22 OFFICIALS OF THAT CITY --

23 A. I UNDERSTAND THAT.

24 Q. -- AND THAT DEPARTMENT, IT WON'T WORK.

25 A. THAT'S LOGICAL.

1 Q. IS THAT LOGICAL?

2 A. YES.

3 Q. NOW, THE TESTIMONY THAT WE HAVE HAD SO FAR
4 INDICATES NOT ONLY HAVE YOU BEEN FRUSTRATED IN CRIMINAL
5 PROSECUTIONS AND NOT ONLY IS THERE NO ADMINISTRATIVE
6 PROCEDURE WHEN THERE HAVE BEEN THE RARE INSTANCES WHEN THERE
7 HAVE BEEN CIVIL CASES FOUND AGAINST POLICE OFFICERS AND EVEN
8 CRIMINAL CASES, IN ONE INSTANCE MORE THAN ONCE, AGAINST
9 POLICE OFFICERS WHO HAVE IN THE COURT OF LAW WITH TWELVE
10 JURORS OF OUR PEERS STATED CLEARLY THAT A POLICE OFFICER WENT
11 BEYOND THE BOUNDS OF THE LAWS THAT YOU IN THE LEGISLATURE,
12 AND WE IN THE LEGISLATURE NOW HAVE WRITTEN AS THE ACCEPTED
13 BOUNDS OF POLICE OFFICERS, THAT HE WENT BEYOND THOSE BOUNDS,
14 THE CITY POLICE AND OFFICIAL MECHANISM IMPOSED NO
15 ADMINISTRATIVE SANCTIONS WHATEVER.

16 NOW, HOW DOES THAT NOT GIVE A MESSAGE TO YOU
17 AND TO OTHER CITY COUNCILMEN THERE IS A PROBLEM IN TERMS OF
18 ADMINISTRATIVE PROCEDURE?

19 A. IF YOU ARE GATHERING THAT INFORMATION, THAT
20 WILL DEFINITELY CARRY A MESSAGE TO US.

21 Q. DOES THAT INDICATE A PROBLEM TO YOU?

22 A. SURE. IF YOU ARE AMASSING THAT KIND OF
23 INFORMATION, THEN IT IS OBVIOUS THERE IS A PROBLEM THAT HAS
24 TO BE MET HEAD-ON AND ADDRESSED TO WITH GREAT DISPATCH, AND
25 WE INTEND TO DO THAT.

1 CHAIRMAN RHODES: THANK YOU, COUNCILMAN.

2 REPRESENTATIVES BORSKY AND REPRESENTATIVE
3 CIANCIULLI ARE GUESTS OF THE COMMITTEE, AND WE ARE EXTENDING
4 A COURTESY TO THEM TO ASK QUESTIONS, BUT YOU ARE NOT TO
5 UNDERSTAND YOUR ANSWERS TO THEIR QUESTIONS TO BE UNDER OATH,
6 OTHERWISE OUR RECORD IS SULLIED SOMEWHAT.

7 REPRESENTATIVE BORSKY: I DID WANT TO ASK ONE
8 QUESTION. IS THIS ON THE RECORD?

9 CHAIRMAN RHODES: IT IS ON THE RECORD, BUT IT
10 IS NOT UNDER OATH.

11 REPRESENTATIVE BORSKY:

12 Q. DO YOU FEEL THAT IF YOU GET TESTIMONY FROM
13 THIS COMMITTEE, THAT COUNCIL WILL ACT IN SOME FASHION?

14 A. YES, YOU ACT BY EITHER DOING OR NOT DOING;
15 SO I WOULD SAY YES, IN SOME FASHION.

16 Q. BY DOING SOMETHING IF YOU BELIEVE THE
17 RECOMMENDATION OF THIS COMMITTEE NEEDS ACTING, DO YOU -- WHAT
18 I AM ASKING YOU, WILL COUNCIL DO IT OR SHOULD THE LEGISLATURE
19 DO IT?

20 A. THE TESTIMONY THAT YOU GATHER SHOULD BE OF
21 SUCH A NATURE AS I HAVE BEEN GIVEN TO BELIEVE -- IF IT IS OF
22 THE NATURE THAT I HAVE BEEN GIVEN TO BELIEVE, IT WOULD BE
23 FOOLISH FOR US NOT TO ACT. WE ARE NOT HERE IN IDLE FAITH, WE
24 ARE HERE IN GOOD FAITH. WE HAVE OUR OWN REPUTATIONS AT STAKE
25 AND WE BELIEVE WE HAVE DONE A GOOD JOB FOR OUR COMMUNITY AND

1 OUR CONSTITUENTS; AND WE WILL CONTINUE TO DO A GOOD JOB FOR
2 THE ENTIRE CITY, NOT ONLY FOR THE PEOPLE BUT FOR THE POLICE
3 DEPARTMENT AS WELL. WE ARE HERE NOT TO PROTECT THEM, WE'RE
4 HERE NOT TO PROTECT JUST THE PUBLIC. WE ARE NOT HERE TO
5 FIGHT ANYBODY. WE ARE HERE TO MAKE SURE THAT EVERYBODY IS
6 TAKEN CARE OF. THAT'S OUR JOB.

7 REPRESENTATIVE BORSKY: FINE.

8 CHAIRMAN RHODES: REPRESENTATIVE CIANCIULLI.

9 REPRESENTATIVE CIANCIULLI:

10 Q. JUST ONE QUESTION. WHEN YOU SAID YOU WOULD
11 TAKE THE TESTIMONY OF THIS COMMITTEE AND GO OVER IT, I TRUST
12 YOU MEAN YOU ARE GOING TO HEAR THE POLICEMEN'S SIDE OF THIS?

13 A. I DON'T KNOW IF YOU HAVE HAD ANY POLICE
14 TESTIMONY.

15 CHAIRMAN RHODES: WE HAVE INVITED THE
16 COMMISSIONER WHO HAS NOT YET REPLIED TO OUR INVITATION.

17 REPRESENTATIVE WHITE: CAN YOU GET HIM HERE,
18 COUNCILMAN?

19 CHAIRMAN RHODES: WE CAN GET HIM HERE, BUT I
20 WOULD RATHER NOT HAVE TO GO THE ROUTE OF A FORMAL SUBPOENA.

21 A. I BELIEVE HE WOULD PROBABLY COME. BUT IF HE
22 DOESN'T, I WILL CARRY YOUR CASE TO HIM AND HIS PEOPLE FOR A
23 COMPLETE POINT BY POINT REBUTTAL BY HIM, IF HE CAN OR POINT
24 BY POINT ANSWER, EITHER IN HIS DEFENSE OR VICE VERSA.

25 AT THAT TIME I WOULD ALSO SUBMIT TO YOU A

1 STUDY OF OUR FINDINGS SO THAT YOU CAN USE THAT, INGEST, AND
2 DETERMINE FOR YOURSELVES HOW YOU WANT TO GO ABOUT DOING WHAT
3 YOU HAVE TO DO.

4 CHAIRMAN RHODES: COUNCILMAN TAYOUN, BE ASSURED
5 THAT WE WILL NOT SUBMIT ANY REPORTS TO YOU BEFORE WE HAVE
6 THOROUGHLY INVESTIGATED AND OBTAINED, EITHER BY INVITATION OR
7 BY COMPULSION UNDER SUBPOENA, TESTIMONY FROM THE POLICE
8 DEPARTMENT OF THIS CITY.

9 THIS COMMITTEE IS NOT ABOUT TAKING ONE SIDE
10 OF THE STORY AND NOT HEARING THE OTHER, EVEN IF THE OTHER
11 COMES IN UNWILLING. WE ARE GOING TO HEAR THE OTHER SIDE OF
12 THE STORY.

13 REPRESENTATIVE RICHARDSON HAS ONE LAST
14 QUESTION.

15 REPRESENTATIVE RICHARDSON:

16 Q. I WANT TO KNOW WHETHER OR NOT YOU KNOW
17 ANYTHING CONCERNING THE TRAINING POLICIES OF THE PHILADELPHIA
18 POLICE DEPARTMENT, FOR THE RECORD?

19 A. NO, I DON'T KNOW ANYTHING ABOUT THEIR
20 TRAINING POLICY.

21 Q. DO YOU KNOW ANYTHING ABOUT ANY CASES THAT
22 HAVE BEEN BROUGHT TO YOU IN THE CITY CONCERNING POLICE
23 VIOLENCE OR POLICE BRUTALITY AGAINST ITS CITIZENS, AS AN
24 INDIVIDUAL COUNCILMAN AND ELECTED REPRESENTATIVE OF THE
25 PEOPLE, CONCERNING PEOPLE WHO HAVE A PROBLEM WITH THE POLICE?

1 A. WE HAVE HAD CONSTITUENTS COMPLAIN TO US ON
2 SEVERAL OCCASIONS OF POLICE ABUSE OR OVERREACTION; BUT WE
3 HAVE HAD THOSE RESOLVED TO OUR SATISFACTION AS WELL AS TO THE
4 CONSTITUENT'S SATISFACTION, FOLLOWING INQUIRIES BY US TO THE
5 POLICE COMMISSIONER.

6 Q. ARE THOSE CASES AVAILABLE FOR THE RECORD OF
7 THIS COMMITTEE?

8 REPRESENTATIVE RICHARDSON: IT SEEMS TO ME, MR.
9 CHAIRMAN, THAT TESTIMONY WOULD GO A LONG WAY IF THEY HAD HAD
10 FOLKS WHO HAVE COME BEFORE THEM AS ELECTED REPRESENTATIVE
11 WITH WORDS YOU SAY YOU CAN TRUST, THAT PERHAPS THOSE SPECIFIC
12 CASES WOULD BE CASES IN WHICH WE WOULD BE ABLE TO DETERMINE
13 HOW THEY WERE RESOLVED, SINCE IT SEEMS THAT SOME OF THE OTHER
14 CASES THAT CAME BEFORE THIS COMMITTEE WERE NOT IN THE
15 RESOLVABLE FASHION.

16 CHAIRMAN RHODES: WELL, WE WILL MAKE A REQUEST,
17 COUNCILMAN.

18 A. I WOULD NOT TAKE IT UPON MYSELF TO RELEASE
19 THOSE RECORDS BECAUSE WHEN PEOPLE COME TO ME, I FEEL IT IS
20 LIKE GOING TO A PRIEST AT TIMES. IT IS THEIR OWN PRIVATE
21 BUSINESS, IT IS NOT PUBLIC BUSINESS. IF THEY WANT TO MAKE IT
22 PUBLIC, IT IS THEIR BUSINESS.

23 REPRESENTATIVE RICHARDSON:

24 Q. THEY MADE IT PUBLIC WHEN THEY CAME TO YOU.

25 A. THEY HAVE THE SAME OPPORTUNITY TO COME

1 BEFORE YOU AND MAKE THEIR POSITION PUBLIC.

2 THEY HAVE COME TO ME, I HAVE RESOLVED THE
3 PROBLEM; AND I AM NOT AT LIBERTY TO DIVULGE WHO COMES TO ME,
4 AND NEITHER ARE YOU.

5 Q. I JUST ASKED.

6 CHAIRMAN RHODES: THANK YOU, COUNCILMAN. THANK
7 YOU, REPRESENTATIVE --

8 REPRESENTATIVE CIANCIULLI: NO. I THINK WHAT
9 HE IS SAYING TO YOU, BECAUSE I SHARE AN OFFICE WITH HIM;
10 MOST OF THE COMPLAINTS THAT HAVE COME TO US HAVE COME TO US
11 EITHER BECAUSE A PERSON IS LOCKED UP OR SOMETHING; AND I
12 DON'T THINK WE HAVE THE RIGHT TO DIVULGE THAT PERSON,
13 WHATEVER THEY WERE LOCKED UP FOR, WHICH WE WOULD HAVE TO GET
14 INTO. I DON'T THINK IT IS FAIR TO THEM TO JUST DIVULGE IT
15 WITHOUT THEIR PERMISSION.

16 CHAIRMAN RHODES: I THINK THE POINT IS WELL
17 TAKEN, AND I THINK WE UNDERSTAND IT.

18 REPRESENTATIVE RICHARDSON: I AM NOT SAYING,
19 THAT IS NOT WHAT I WAS SAYING. LET ME CLARIFY THE RECORD FOR
20 ANYONE'S EDIFICATION IN THE ROOM WHO THOUGHT THAT.

21 WHAT I WAS SUGGESTING IF THE COUNCILMAN,
22 SINCE HE ENUMERATED ON THE POINT THAT HE HAD INDIVIDUAL
23 CASES THAT CAME TO HIM AND WERE SATISFIED, THAT PERHAPS MAYBE
24 HE MIGHT NOT BE ABLE TO SHARE THE INDIVIDUAL'S NAME, BUT HE
25 COULD SHARE IN FACT THE KIND OF CASE THAT IT WAS IN

1 RELATIONSHIP TO THE POLICE VIOLENCE SO THAT WE WOULD HAVE AN
2 IDEA HOW IT WAS RESOLVED.

3 I DIDN'T ASK FOR THE PERSON'S NAME. I AM
4 ASKING FOR A CASE IN POINT OF HOW IT WAS RESOLVED, BECAUSE WE
5 HAVE NOT COME TO THE SATISFACTION OF THIS COMMITTEE, AS FAR
6 AS I AM CONCERNED, DEALING WITH THAT POINT.

7 A. WHEN I SAY "RESOLVED," WE HAVE EVEN HAD
8 CASES WHERE I HAVE RECOMMENDED TO THEM THAT THEY GO SEEK AN
9 ATTORNEY AND SEEK TO PROSECUTE THE POLICEMAN IN COURT BECAUSE
10 I FELT STRONGLY THAT THERE WAS MERIT TO THEIR CASE.

11 CHAIRMAN RHODES: COUNCILMAN, COULD IT BE
12 POSSIBLE YOU COULD PROVIDE THESE ACCOUNTS WITHOUT NAMES?

13 A. I AM GOING TO TRY.

14 CHAIRMAN RHODES: DO YOUR BEST.

15 A. I HAVE A SECRETARY AND AN AIDE AND I WILL GO
16 THROUGH OUR RECORDS, I WILL ASK THEM TO GO THROUGH RECORDS.
17 WE DON'T ASSIGN THEM BY POLICE ABUSE CASE, THEY ARE SIMPLY
18 FILED BY NAMES. IT IS ALMOST IMPOSSIBLE WITH 250,000
19 CONSTITUENTS.

20 CHAIRMAN RHODES: THANK YOU VERY MUCH FOR BEING
21 WITH US THIS EVENING, COUNCILMAN, AND COMING FORWARD. I
22 PERSONALLY THINK IT WAS A VERY DECENT THING FOR YOU TO DO AND
23 WE RESPECT YOU FOR COMING.

24 A. THANK YOU VERY MUCH, IT'S GOOD TO SEE YOU
25 IN PHILADELPHIA, AND WE WELCOME YOUR INQUIRIES.

1 (WITNESS EXCUSED.)

2 CHAIRMAN RHODES: THANK YOU. BEFORE WE GO ON,
3 I AM REMISS IN NOT ACKNOWLEDGING, I SHOULD HAVE, THE KIND
4 HOSPITALITY OF THE HARROWGATE COMMUNITY CENTER, AND MOST
5 NOTABLY, ROSLYN HORN, THE DIRECTOR OF THE CENTER WHO HAS BEEN
6 VERY HELPFUL IN ALLOWING US TO MEET HERE AT THE CENTER, AND
7 WE ARE VERY APPRECIATIVE OF HER COOPERATION.

8 I WOULD ALSO LIKE TO, AT THIS POINT,
9 ACKNOWLEDGE THE PRESENCE OF REPRESENTATIVE MARK COHEN, A
10 MEMBER OF THE SUBCOMMITTEE FROM PHILADELPHIA COUNTY, TO MY
11 EXTREME RIGHT.

12 OUR NEXT WITNESS TONIGHT IS MRS. DELORES
13 KEDRA. WILL YOU TAKE THE STAND, MRS. KEDRA.

14 THANK YOU FOR BEING WITH US TONIGHT, MRS.
15 KEDRA. DO YOU ACKNOWLEDGE THAT YOU HAVE IN YOUR POSSESSION A
16 SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE OF THE HOUSE OF
17 REPRESENTATIVES TONIGHT? YOU HAVE TO SPEAK UP.

18 MRS. KEDRA: YES, I DO HAVE IT.

19 CHAIRMAN RHODES: YOU DO HAVE IT?

20 MRS. KEDRA: YES.

21 DELORES KEDRA, SWORN.

22 CHAIRMAN RHODES:

23 Q. WOULD YOU STATE YOUR NAME AND ADDRESS FOR
24 THE RECORD, AND SPELL YOUR LAST NAME.

25 A. DELORES KEDRA, K-E-D-R-A. I LIVE AT 2020

1 GRANITE STREET, PHILADELPHIA.

2 Q. THANK YOU. YOU MAY PROCEED IN YOUR OWN
3 WORDS AND TELL US THE ACCOUNT OF THE INCIDENT YOU WOULD LIKE
4 TO RELATE TO US.

5 A. I DON'T KNOW WHERE TO BEGIN, IT HAS BEEN SO
6 MANY OF THEM.

7 WELL, I WILL START WITH DECEMBER 29TH WHEN
8 THE POLICE BROKE INTO MY HOME.

9 Q. DECEMBER 29TH OF WHAT YEAR?

10 A. I AM SORRY, '75. I WAS IN THE HOSPITAL AT
11 THE TIME. THEY HAD BROKE INTO MY HOME, BEAT UP MY FAMILY.

12 Q. YOU ARE GOING TO HAVE TO GO A LITTLE BIT
13 SLOWER, MRS. KEDRA.

14 A. ALL RIGHT.

15 Q. YOU WERE IN THE HOSPITAL AT THE TIME?

16 A. YES.

17 Q. AND THE POLICE ON THE NIGHT OF DECEMBER 29TH
18 OR THE DAY -- AND ABOUT WHAT TIME WAS THIS?

19 A. THE DAY, I AM SORRY. I BELIEVE IT WAS
20 BETWEEN 10:00 AND 10:30 A.M. IT WAS DECEMBER 29TH, IT WAS ON
21 A MONDAY MORNING.

22 Q. AND YOU SAY THE POLICE BROKE INTO YOUR HOME?

23 A. YES.

24 Q. AND DID WHAT?

25 A. THEY BEAT UP MY FAMILY.

1 Q. FIRST, WHO BROKE IN YOUR HOME AND THEN WHO
2 IS YOUR FAMILY THAT WAS BEATEN UP?

3 A. THE POLICE BROKE INTO MY HOME.

4 Q. WHAT POLICE?

5 A. THE NAMES?

6 Q. DO YOU HAVE NAMES?

7 A. YES, I HAVE NAMES, BUT CAN I USE THEM?

8 Q. YES, WE WOULD LIKE TO HAVE THOSE NAMES ON
9 RECORD, IF YOU HAVE THEM.

10 A. WELL, I HAVE A PENDING LAWSUIT.

11 Q. YOU DO?

12 A. YES.

13 Q. IF DOESN'T MATTER, IT WON'T AFFECT YOUR
14 LAWSUIT.

15 A. BUT I WOULD RATHER NOT BECAUSE OF
16 RETALIATION. THEY HAVE HARASSED MY FAMILY FOR THE LAST TWO
17 AND A HALF YEARS AND I DON'T WANT IT TO HAPPEN AGAIN.

18 Q. WILL YOU GIVE US THE NAMES IN PRIVATE?

19 A. YES.

20 Q. ALL RIGHT, BEFORE YOU LEAVE, BECAUSE WE HAVE
21 TO ESTABLISH WHO WAS INVOLVED.

22 ALL RIGHT, THIS OCCURKED MONDAY MORNING,
23 DECEMBER 29, 1975. HOW MANY OFFICERS WERE INVOLVED?

24 A. I REALLY DON'T KNOW. ABOUT 15, MY DAUGHTER
25 SAID. SHE WAS AT HOME WHEN IT HAPPENED.

1 CHAIRMAN RHODES: DO YOU WANT TO TESTIFY WITH
2 YOUR MOTHER? WE WILL SWEAR YOU. IT WILL BE A LOT EASIER.

3 MRS. KEDRA: COULD SHE, BECAUSE SHE WAS THERE.

4 CHAIRMAN RHODES: WE DON'T HAVE TO SUBPOENA YOU
5 IF YOU WAIVE YOUR RIGHT TO SUBPOENA, WE CAN JUST SWEAR YOU.
6 DO YOU UNDERSTAND THAT?

7 DO YOU UNDERSTAND THAT?

8 MRS. ROZANSKI: YES.

9 CHAIRMAN RHODES: DO YOU WAIVE YOUR RIGHT TO
10 SUBPOENA?

11 MRS. ROZANSKI: YES.

12 CHAIRMAN RHODES: DID YOU SAY YES?

13 MRS. ROZANSKI: YES.

14 CHAIRMAN RHODES: WHAT THAT MEANS IS YOU ARE
15 NOT COVERED ENTIRELY IN TERMS OF LIABILITY BY DOING THAT.

16 MRS. ROZANSKI: YES.

17 CHAIRMAN RHODES: WILL YOU RAISE YOUR RIGHT
18 HAND?

19 MRS. ROZANSKI: YES.

20 ---

21 ELIZABETH ROZANSKI, SWORN.

22

23 CHAIRMAN RHODES:

24 Q. WILL YOU STATE YOUR NAME AND ADDRESS FOR THE
25 RECORD.

1 A. (MRS. ROZANSKI) ELIZABETH ROZANSKI, 5243
2 COTTAGE STREET, R-O-Z-A-N-S-K-I.

3 Q. MRS. ROZANSKI, YOU ARE THE DAUGHTER OF MRS.
4 KEDRA?

5 A. YES.

6 Q. AND YOU WERE PRESENT AT HER ADDRESS OR YOUR
7 ADDRESS ON DECEMBER 29, 1975, WHEN THIS INCIDENT OCCURRED?

8 A. YES, I WAS.

9 Q. WHY DON'T YOU TELL US THE ACCOUNT, IN YOUR
10 OWN WORDS?

11 A. OKAY. TWO POLICE OFFICERS CAME UP AND
12 KNOCKED ON THE DOOR. THEY SAID THEY HAD A SUBPOENA FOR MY
13 FUTURE HUSBAND FOR A COURT HEARING THE NEXT DAY. I TOLD THEM
14 THAT HE WAS SLEEPING. SO THEY TOLD ME THEY WANTED TO SEE
15 HIM; AND I SAID I WASN'T WAKING HIM UP BECAUSE I KNEW THAT'S
16 NOT WHAT THEY WANTED.

17 SO THEY CAME BACK A SECOND TIME AND THEY
18 TRIED TO PUSH THEIR WAY IN. AND ME AND MY BROTHER TOLD THEM
19 THEY WEREN'T COMING IN. IN THE MEANTIME, WE RAN TO THE PHONE
20 AND CALLED OUR LAWYER, AND OUR LAWYER TOLD US NOT TO LET
21 ANYBODY IN THE HOUSE.

22 SO THEY LEFT AND THEY CAME BACK A THIRD
23 TIME. THE THIRD TIME WHEN THEY CAME BACK THEY JUST BROKE IN,
24 SHOT GUNS, NIGHTSTICKS, THROUGH THE FRONT DOOR, THROUGH THE
25 BACK DOOR.

1 MY BROTHER HAD A CAMERA AROUND HIS NECK
2 TAKING PICTURES OF ALL THE POLICE OFFICERS. AS THEY WERE
3 WALKING IN THE DOOR, THEY SAW THE CAMERA. THEY TRIED TO GRAB
4 THE CAMERA. MY BROTHER THREW IT TO MY SISTER. AS HE THREW
5 THE CAMERA, ONE OFFICER HIT HIM ON THE HEAD WITH A
6 NIGHTSTICK. AND THE OTHER OFFICER HIT MY SISTER WITH A
7 NIGHTSTICK, AND SHE FELL TO THE FLOOR.

8 IN THE MEANTIME MY OTHER -- I HAD THREE
9 BROTHERS IN THE LIVING ROOM, MYSELF, AND MY TWO SISTERS.

10 Q. SO THERE WERE THREE BROTHERS, TWO SISTERS
11 AND YOU. SO THERE WERE SIX YOUNGSTERS?

12 A. THERE WERE SIX OF US IN THE LIVING ROOM.
13 THERE'S EIGHT OF US ALTOGETHER, TWO WERE UPSTAIRS.

14 REPRESENTATIVE RICHARDSON: EXCUSE ME, MR.
15 CHAIRMAN, CAN WE ESTABLISH FOR THE RECORD WHETHER IT WAS A
16 SUBPOENA OR A WARRANT.

17 A. THEY HAD NO WARRANT AT ALL, NOTHING. ALL IT
18 WAS WAS A PIECE OF PAPER ROLLED UP LIKE THIS. (INDICATING.)
19 THAT'S ALL IT WAS.

20 REPRESENTATIVE RICHARDSON: THANK YOU.

21 CHAIRMAN RHODES:

22 Q. HOW DO YOU KNOW IT WASN'T A WARRANT?

23 A. BECAUSE IT CAME OUT IN COURT THAT THEY HAD
24 NO WARRANT AT ALL FOR MY HOUSE, NOTHING.

25 Q. I SEE.

1 A. WELL, SEE, I KNOW WHAT THEY WERE THERE FOR
2 BECAUSE THEY WERE AROUND OUR HOUSE THAT WHOLE WEEKEND.

3 Q. WHAT WERE THEY THERE FOR?

4 A. THEY WERE LOOKING FOR MY FUTURE HUSBAND AND
5 -- WHICH THEY HAD PICKED HIM UP TWO OR THREE TIMES ALREADY
6 THAT WEEKEND. AND THEY WERE JUST HARASSING US.

7 AND I KNEW THEY WERE JUST THERE TO HARASS US
8 MORE BECAUSE THEY KNEW MY MOTHER WAS IN THE HOSPITAL BECAUSE
9 THE NIGHT BEFORE THE POLICE HAD TAKEN HER TO THE HOSPITAL.
10 THEY KNEW WE WERE THERE BY OURSELVES. SO THEY JUST CAME IN
11 AND DID WHATEVER THEY WANTED TO DO.

12 Q. LET'S GET BACK ON THE RECORD. HOW MANY OF
13 YOU WERE ACTUALLY BEATEN BY THE POLICE?

14 A. I WASN'T BEATEN UP. MY SISTER PATTY WAS AND
15 --

16 Q. HOW OLD IS YOUR SISTER PATTY?

17 A. AT THE TIME SHE WAS 17.

18 MY BROTHER, JOE --

19 REPRESENTATIVE RICHARDSON:

20 Q. HOW OLD WAS HE?

21 A. HE WAS 22 AT THE TIME. MY BROTHER, KENNY,
22 WHICH WAS 20; AND MY BROTHER, MICHAEL, HE WAS 16; AND MY
23 BROTHER, BOBBY WHO WAS 11 -- 10 AT THE TIME.

24 CHAIRMAN RHODES:

25 Q. NOW, HOW MANY POLICE OFFICERS WERE INVOLVED

1 IN THIS?

2 A. AT LEAST 15.

3 Q. FIFTEEN POLICE OFFICERS CAME TO YOUR HOUSE?

4 A. YES, YES.

5 Q. DO YOU KNOW WHETHER THEY WERE ALL FROM THE

6 SAME DISTRICT OR WERE THEY A SPECIAL UNIT?

7 A. THERE WAS THE 15TH DISTRICT, STAKE-OUT.

8 DETECTIVES AND HOMICIDE DETECTIVES.

9 Q. DO YOU KNOW WHY THEY WERE LOOKING FOR YOUR

10 FIANCE?

11 A. YES.

12 Q. WHY?

13 A. THEY TRIED TO SAY THAT HE COMMITTED A

14 MURDER.

15 Q. WAS HE EVER CHARGED WITH THAT MURDER?

16 A. YES, HE WAS, BUT HE WAS ACQUITTED.

17 Q. WAS THERE A TRIAL?

18 A. YES.

19 Q. NOW, THIS MAY TAKE SOME TIME, BUT IT IS

20 IMPORTANT FOR OUR RECORD. COULD YOU DETAIL EACH ONE OF YOUR

21 BROTHERS AND SISTERS, WHAT ACTUALLY HAPPENED TO THEM? LET'S

22 START WITH YOUR SISTER, PATTY, WHAT HAPPENED TO HER?

23 A. SHE WAS HIT ON THE HEAD WITH A NIGHTSTICK.

24 Q. MORE THAN ONCE?

25 A. JUST ONE TIME, UNTIL SHE FELL TO THE FLOOR.

1 Q. WAS SHE UNCONSCIOUS?

2 A. SHE WAS IN SHOCK. I HAD TO SMACK HER TO
3 BRING HER BACK TO HER SENSES.

4 Q. DID SHE HAVE LACERATIONS OR WAS HER HEAD --
5 WAS HER SKIN CUT OR --

6 A. NO, SHE WASN'T CUT, BUT SHE HAD PROBLEMS --
7 SHE FELL ON HER KNEE AND SHE HAS KNEE PROBLEMS UNTIL THIS
8 DAY.

9 Q. DID YOU VIEW THIS BLOW TO YOUR SISTER? DID
10 YOU SEE YOUR --

11 A. OH, I SAW EVERYTHING.

12 Q. WHAT PRECIPITATED HER BEING HIT?

13 A. THE CAMERA.

14 Q. THIS IS THE SISTER WHO CAUGHT THE CAMERA?

15 A. YES.

16 Q. YOUR BROTHER, JOE, WHAT HAPPENED TO YOUR
17 BROTHER, JOE?

18 A. JOE WAS HIT ON THE HEAD SEVERAL TIMES. HE
19 RECEIVED SIX OR SEVEN STITCHES.

20 MKS. KEDRA: NO, FOUR. WE HAVE TO KEEP IT
21 STRAIGHT.

22 HE RECEIVED FOUR, MY OTHER SON RECEIVED
23 SEVEN.

24 CHAIRMAN RHODES:

25 Q. SO YOUR BROTHER, JOE, RECEIVED FOUR

1 STITCHES?

2 A. (MRS. ROZANSKI) YES.

3 Q. WHAT PRECIPITATED HIS BEING HIT?

4 A. THROWING THE CAMERA TO MY SISTER.

5 Q. HE WAS THE ONE WHO THREW THE CAMERA?

6 A. AND HE WAS WRITING THE NAMES AND THE BADGE

7 NUMBERS DOWN.

8 Q. SO HE WAS TRYING TO IDENTIFY THE POLICE

9 OFFICERS.

10 DID HE STRIKE ANY OFFICERS?

11 A. NO.

12 Q. DID HE SAY ANYTHING TO THE OFFICERS,

13 ABUSIVE?

14 A. HE JUST TOLD THEM TO LEAVE.

15 Q. AND HE WAS STRUCK REPEATEDLY AND ENDED UP

16 WITH FOUR STITCHES?

17 A. YES. THEY THREW HIM OUT OF THE DOOR WITH
18 JUST HIS ROBE ON. THEY LITERALLY PICKED HIM UP, TWO POLICE
19 OFFICERS, AND JUST THREW HIM OUT.

20 Q. DID MORE THAN ONE POLICE OFFICER STRIKE YOUR
21 BROTHER, JOE?

22 A. YES.

23 Q. HOW MANY POLICE OFFICERS?

24 A. ABOUT THREE OR FOUR.

25 Q. DID HE FALL TO THE GROUND?

1 A. YES.

2 Q. DID THEY CONTINUE HITTING HIM WHILE HE WAS
3 ON THE GROUND?

4 A. YES.

5 Q. AT ANY TIME DID THEY HANDCUFF HIM?

6 A. YES.

7 Q. DID YOU HEAR ANY POLICE OFFICER ANNOUNCE
8 THAT HE WAS UNDER ARREST --

9 A. NO.

10 Q. -- OR BEGIN TO READ TO HIM HIS RIGHTS?

11 A. NO, I DIDN'T HEAR NONE OF THAT.

12 Q. YOUR BROTHER, KENNY, WHAT HAPPENED TO YOUR
13 BROTHER KENNY?

14 A. AFTER MY BROTHER AND MY SISTER WERE HIT, MY
15 TWO OTHER BROTHERS CAME IN, KENNY AND MICHAEL.

16 KENNY GOT INTO THE MIDDLE OF IT AND HE GOT
17 HIT. AND MY BROTHER, KENNY, HAD A BIG AFRO AT ONE TIME; AND
18 ONE COP HAD A HAND IN HIS HAIR THIS WAY AND ANOTHER ONE THIS
19 WAY, WHILE ANOTHER ONE WAS BEATING HIM ON HIS HEAD, UNTIL
20 WHERE THE BLOOD JUST SPURTED RIGHT OUT. (INDICATING)

21 Q. POLICE OFFICERS HAD HIM BY THE HAIR, BOTH
22 SIDES OF HIS HEAD?

23 A. YES. AND EVERY TIME HE FELL DOWN AND WOULD
24 COME BACK UP AGAIN, THEY WOULD HIT HIM AGAIN.

25 Q. SO THEY HELD HIM AND STRUCK HIM AND HE WOULD

1 FALL TO THE FLOOR, FACE FORWARD?

2 A. YES.

3 Q. AND THEY WOULD PICK HIM BACK UP AGAIN, OR
4 WOULD HE GET BACK UP AGAIN?

5 A. HE GOT BACK UP.

6 Q. AND THEY WOULD HOLD HIS HAIR AGAIN?

7 A. YES, THEY WOULD KEEP HOLDING HIS HEAD WHILE
8 THEY KEPT BANGING HIM.

9 Q. THEN THEY WOULD HIT HIM AGAIN WITH A
10 NIGHTSTICK?

11 A. YES.

12 Q. HOW MANY TIMES WAS HE STRUCK WITH A
13 NIGHTSTICK

14 A. I COULDN'T COUNT.

15 Q. WAS HE PLACED INTO HANDCUFFS?

16 A. YES.

17 Q. WAS HE TOLD HE WAS UNDER ARREST?

18 A. I DIDN'T HEAR ANY OF THAT. THERE WAS TOO
19 MUCH GOING ON FOR ME TO HEAR ANY OF THAT.

20 Q. YOUR BROTHER, MICHAEL, THE 16-YEAR-OLD AT
21 THE TIME.

22 A. MICHAEL WAS HIT, BUT THE ONLY THING I SAW
23 MICHAEL GET HIT WITH WAS A NIGHTSTICK ACROSS HIS ARM. BUT AS
24 FAR AS ANY BEATINGS ON THE HEAD, NONE OF THAT, I DIDN'T SEE
25 NONE OF THAT.

1 I WAS RUNNING BACK AND FORTH TRYING TO
2 CONTROL THE LITTLE ONE AND JUST KEEP EVERYTHING UNDER
3 CONTROL; AND I STAYED OUT OF THE PICTURE BEFORE I GOT IT
4 BECAUSE THE POLICE OFFICERS DID NOT LIKE ME AT ALL.

5 Q. WHY DON'T THEY LIKE YOU?

6 A. BECAUSE I SPEAK UP TO THEM. BECAUSE I AM
7 NOT AFRAID OF THEM.

8 Q. DID YOU RECOGNIZE ANY OF THESE POLICE
9 OFFICERS WHEN THEY CAME INTO THE HOUSE?

10 A. YES, I DID.

11 Q. YOU HAVE HAD PREVIOUS EXPERIENCES WITH THESE
12 POLICE OFFICERS?

13 A. YES.

14 Q. WHAT KIND OF EXPERIENCES?

15 A. THEY HELD ME DOWN HOMICIDE, DOWN AT 8TH AND
16 RACE, FOR AT LEAST 17 HOURS.

17 MRS. KEDRA: THIS WAS ON DECEMBER 22ND.

18 REPRESENTATIVE RICHARDSON: WERE YOU ARRESTED?

19 MRS. ROZANSKI: NO.

20 REPRESENTATIVE RICHARDSON: WERE YOU CHARGED
21 WITH ANYTHING?

22 MRS. ROZANSKI: NO.

23 CHAIRMAN RHODES:

24 Q. WERE THEY LOOKING FOR YOUR FIANCEE? IS THAT
25 WHY THEY HELD YOU?

- 1 A. (MRS. ROZANSKI) HE WAS DOWN THERE WITH ME.
- 2 Q. I SEE. IS THAT THE ONLY ENCOUNTER YOU HAD
- 3 WITH THE POLICE BEFORE THAT NIGHT?
- 4 A. YES. I USED TO BE FRIENDS WITH THEM.
- 5 Q. ARE YOU FRIENDS WITH THEM NOW?
- 6 MRS. KEDRA: NOT THESE PARTICULAR POLICEMEN
- 7 THAT ENTERED THE HOUSE. WE MEAN JUST POLICEMEN IN GENERAL
- 8 FROM THE NEIGHBORHOOD.
- 9 CHAIRMAN RHODES:
- 10 Q. WHAT HAPPENED TO YOUR BROTHER, BOBBY?
- 11 A. (MRS. ROZANSKI) BOBBY JUST GOT SLAPPED.
- 12 HOW I THINK HE GOT IT WAS JUST IN THE MIDDLE OF EVERYTHING.
- 13 YOU SEE, WE HAD OUR CHRISTMAS TREE UP --
- 14 Q. RIGHT. THIS WAS ON DECEMBER 29TH, RIGHT?
- 15 A. THERE WERE SO MANY POLICEMEN THERE, WE
- 16 COULDN'T MOVE NOWHERE. HE WAS -- HE JUST GOT SLAPPED ALL
- 17 AROUND.
- 18 Q. NOW WHO ENDED UP BEING PUT UNDER ARREST THAT
- 19 NIGHT?
- 20 A. MY BROTHERS JOE, KENNY, MICHAEL, AND MY
- 21 HUSBAND.
- 22 Q. WHO WAS YOUR FIANCE THEN?
- 23 A. MY FIANCE THEN.
- 24 Q. WHAT IS HIS NAME?
- 25 A. RICHARD ROZANSKI.

1 Q. AND THEY WERE TAKEN TO WHERE?
2 A. EIGHTH AND RACE.
3 Q. DID ANYTHING HAPPEN TO THEM ON THE WAY TO
4 8TH AND RACE?
5 A. NOT THAT I KNOW OF, NOT THAT I COULD
6 REMEMBER.
7 Q. THEY WERE CHARGED WITH WHAT?
8 A. HINDERING THE APPREHENSION OF A FUGITIVE, --
9 MRS. NEDRA: RESISTING ARREST AND ASSAULT AND
10 BATTERY ON A POLICE OFFICER.
11 AND THEY WENT TO COURT AND THEY WERE
12 ACQUITTED -- THEY WERE FOUND NOT GUILTY. MY SONS WENT TO
13 COURT FIRST.
14 CHAIRMAN RHODES: WHAT WERE THE CHARGES AGAIN,
15 HINDERING THE APPREHENSION OF A FUGITIVE?
16 A. (MRS. ROZANSKI) A FUGITIVE.
17 Q. YOUR FIANCE?
18 A. YES. RESISTING ARREST.
19 Q. RESISTING ARREST?
20 A. AND ASSAULT AND BATTERY.
21 Q. ON A POLICE OFFICER?
22 A. YES.
23 REPRESENTATIVE RICHARDSON: WAS DISORDERLY
24 CONDUCT IN THERE?
25 MRS. NEDRA: WHAT?

1 REPRESENTATIVE RICHARDSON: DISORDERLY CONDUCT.

2 MRS. KEDRA: I BELIEVE THAT IT WAS, BUT I AM
3 NOT SURE.

4 CHAIRMAN RHODES:

5 Q. IS THAT THE END OF THE ACCOUNT OF THE 29TH?

6 A. (MRS. KEDRA) YES, BUT THERE PRIOR TO THAT
7 WE WERE DOWN TO THE ROUNDHOUSE, THE 22ND OF DECEMBER.

8 Q. WELL, LET ME GET THE RECORD STRAIGHT. DO
9 YOU WANT TO TELL US ABOUT ACCOUNTS BEFORE THE 29TH OR AFTER
10 THE 29TH AT THIS POINT? IT IS UP TO YOU.

11 A. WELL, I WOULD LIKE TO TELL YOU BEFORE THE
12 29TH.

13 Q. ALL RIGHT.

14 A. AS TO WHAT LED UP TO ALL THIS.

15 Q. WHAT INCIDENT BEFORE THE 29TH?

16 A. WELL, DECEMBER 22ND I GOT A PHONE CALL AT
17 WORK THAT THE POLICE WERE AT MY HOUSE.

18 Q. WHO DID YOU RECEIVE THE PHONE CALL FROM?

19 A. I AM SORRY, FROM MY DAUGHTER, ELIZABETH.

20 Q. SHE CALLED YOU AND TOLD YOU THE POLICE WERE
21 AT YOUR HOUSE ON THE 22ND?

22 A. YES.

23 Q. WHERE WERE YOU, AT WORK?

24 A. I WAS AT WORK THEN.

25 Q. WHAT TIME OF DAY WAS THAT?

1 A. THIS WAS AT NIGHT. THIS WAS, LET'S SAY
2 MAYBE 10:00 O'CLOCK AT NIGHT.

3 Q. THEN WHAT HAPPENED?

4 A. WELL, I ASKED HER TO PUT THE DETECTIVE ON
5 THE PHONE, BECAUSE I WANTED TO KNOW WHAT WAS WRONG. AND HE
6 SAID THAT HE WANTED MY SON-IN-LAW, WHICH IS RICHARD ROZANSKI,
7 AND MY SON JOE, HE WANTED TO TALK TO THEM.

8 WELL, I ASKED HIM IF HE COULD WAIT UNTIL I
9 CAME HOME, AND HE SAID NO.

10 SO I HAD LEFT WORK AND ARRIVED HOME ABOUT
11 QUARTER AFTER 11:00. I CALLED UP THE 15TH POLICE DISTRICT
12 AND ASKED THEM IF MY DAUGHTER OR SON WAS UP THERE, AND THEY
13 SAID NO. THEY ADVISED ME TO CALL DOWNTOWN.

14 Q. THEN WHAT DID YOU DO?

15 A. WELL, I CALLED DOWNTOWN AND I ASKED THEM --
16 I SPOKE TO A LIEUTENANT AT HOMICIDE AND ASKED HIM WHY THEY
17 WERE TAKEN IN.

18 Q. GO AHEAD.

19 A. I SAID TO HIM, 'I THOUGHT HOMICIDE WAS WHEN
20 YOU HAD A DEAD BODY.' HE SAID WE DO HAVE A DEAD BODY.'

21 AND THEN I GOT VERY UPSET. THIS IS THE WAY
22 THEY TOLD ME, THE BOY THAT MY SON-IN-LAW WAS ACCUSED OF
23 MURDERING, THIS IS HOW THEY TOLD ME HE WAS DEAD.

24 SO IN TURN I WENT DOWN TO THE ROUNDHOUSE.

25 NOW THEY HAD MY 16-YEAR-OLD SON DOWN THERE

1 WHICH I NEVER KNEW IT UNTIL 6:00 O'CLOCK THE NEXT MORNING.
2 THEY HELD HIM THERE. THEY HAD MY DAUGHTER, ELIZABETH, THERE
3 AND MY SON, JOE.

4 Q. WHERE DID THEY HAVE HIM AT THE ROUNDHOUSE?

5 A. AT HOMICIDE.

6 Q. AT HOMICIDE?

7 A. YES.

8 Q. AND THIS IS WHERE YOU CALLED?

9 A. YES.

10 Q. THE DISTRICT. YOU SAID YOU CALLED --

11 A. I CALLED THE DISTRICT FIRST AND THEY TOLD ME
12 TO CALL DOWNTOWN, HOMICIDE.

13 Q. I SEE. AND HOMICIDE ALSO TOLD YOU THEY
14 DIDN'T HAVE YOUR SON?

15 A. NO. WHEN I CALLED DOWN THERE, THEY SAID
16 THEY DID HAVE HIM DOWN THERE.

17 Q. I SEE. BUT YOU DIDN'T KNOW THEY HAD YOUR
18 16-YEAR-OLD SON UNTIL THE NEXT DAY?

19 A. NO, I DIDN'T, UNTIL 6:00 O'CLOCK THAT NEXT
20 MORNING.

21 Q. IS THERE MORE YOU WANT TO TELL US ABOUT THAT
22 ACCOUNT?

23 A. YES.

24 Q. JUST GO AHEAD IN YOUR OWN WORDS.

25 A. WELL, I HAD A RIDE DOWN THERE WITH MR.

1 ROZANSKI, THAT IS MY SON-IN-LAW'S FATHER. AND WE WAITED
2 DOWNSTAIRS I WILL SAY FOR 20 MINUTES, AND THEN A DETECTIVE
3 CAME DOWN TO GET ME. AND I INSISTED UPON SEEING MY CHILDREN,
4 BUT THEY WOULDN'T LET ME.

5 THEY TOLD ME ALL ABOUT THE MURDER AND THEY
6 TOLD ME THAT MY SON-IN-LAW DID IT, THAT MY DAUGHTER DID IT
7 AND MY SON DID IT; AND THEY WOULDN'T LET ME SEE MY CHILDREN.

8 I WAS DOWN THERE A FEW HOURS AND MY
9 SON-IN-LAW MUST HAVE BEEN IN THE NEXT ROOM BEING QUESTIONED
10 AND THEY WERE BEATING HIM UP. I DIDN'T SEE IT, BUT I COULD
11 HEAR IT. I HEARD HIM SCREAMING.

12 Q. WHAT COULD YOU HEAR?

13 A. I COULD HEAR HIS SCREAMS, "MOTHER OF GOD, I
14 CAN'T TAKE ANY MORE."

15 AND NOT TOO MUCH LATER HE CAME OUT OF THE
16 ROOM NEXT TO THE ROOM THAT I WAS IN.

17 NOW PRIOR TO THAT I ASKED THE DETECTIVE TO
18 LET ME OUT OF THAT ROOM. I WAS AFRAID TO SAY WHY I WANTED TO
19 COME OUT OF THAT ROOM BECAUSE I WAS AFRAID THAT I WOULD GET
20 BEATEN. ALL I SAID TO THEM WAS, "PLEASE LET ME OUT OF THIS
21 ROOM. I CAN'T STAND IT IN HERE." THEY LET ME OUT OF THE
22 ROOM.

23 I INSISTED UPON SEEING MY TWO CHILDREN
24 BECAUSE, AS I SAID, I DIDN'T KNOW MY 16-YEAR-OLD SON WAS DOWN
25 THERE. AND THEY KEPT SAYING TO ME, "WAIT A WHILE, WAIT A

1 WHILE, I WAS TO THE POINT WHERE I WAS SO SCARED THAT I
2 KEPT BUGGING THEM TO LET ME SEE MY TWO CHILDREN.

3 SO FINALLY THEY DID. THEY LET ME SEE MY
4 DAUGHTER FIRST AND THEN MY SON. AND MY DAUGHTER AND I WERE
5 IN AN INTERROGATION ROOM DOWN THERE; AND A DETECTIVE CAME IN
6 THERE AND THREW A GUN RIGHT ON THE TABLE BETWEEN THE BOTH OF
7 US.

8 THEY TREATED US DOWN THERE LIKE WE WERE A
9 BUNCH OF ANIMALS, LIKE WE WERE CRIMINALS.

10 Q. WHAT WAS THE POINT OF HIS THROWING THE GUN
11 ON THE TABLE?

12 A. HE WAS MAD. HE WANTED A STATEMENT WHICH
13 NEITHER ONE OF US COULD MAKE.

14 Q. WHY WOULD HE THROW A GUN ON THE TABLE?

15 A. WELL, BECAUSE HE IS AN IDIOT. IF YOU KNEW
16 THIS DETECTIVE YOU WOULD UNDERSTAND WHAT I MEAN. HE DOESN'T
17 EVEN BELONG ON THE POLICE FORCE.

18 REPRESENTATIVE RICHARDSON: IS HIS NAME A PART
19 OF YOUR TESTIMONY?

20 A. YES.

21 CHAIRMAN RHODES:

22 Q. WAS THIS A LOADED GUN?

23 A. I DON'T KNOW FOR SURE. I COULDN'T SWEAR TO
24 THAT. I REALLY COULDN'T SAY FOR SURE.

25 Q. IF SO, IT'S A GOOD THING YOU DIDN'T PICK IT

1 UP, OR YOU MIGHT NOT BE HERE TONIGHT.

2 MRS. ROZANSKI: I THINK THAT'S WHAT HE WANTED.

3 MRS. KEDRA: YES. BUT LIKE I SAID, WE CAN'T
4 SWEAR THAT THE GUN WAS LOADED. LIKE I SAID, WE WERE SO UPSET
5 WE REALLY DIDN'T KNOW.

6 I KEPT ASKING HIM WHEN COULD I GO HOME, I
7 HAD OTHER CHILDREN HOME, WHEN WERE THEY GOING TO RELEASE MY
8 CHILDREN.

9 THEY WOULDN'T LET ME GO TO THE BATHROOM. I
10 HAD TO BEG THEM TO GO TO THE BATHROOM.

11 CHAIRMAN RHODES:

12 Q. DID THEY TELL YOU THAT YOU WERE UNDER
13 ARREST?

14 A. (MRS. KEDRA) NO, NO; BUT THEY WOULDN'T LET
15 ME GO.

16 Q. YOU HAD ONLY GONE DOWN TO FIND OUT WHAT
17 HAPPENED TO YOUR CHILDREN --

18 A. YES.

19 Q. AND YOU WERE DETAINED WITHOUT BEING CHARGED?

20 A. THAT IS RIGHT. I WAS THERE FOR 12, 13
21 HOURS, AND I HAD OTHER CHILDREN AT HOME, AND I KEPT TELLING
22 THEM, "I HAVE TO GO HOME." "WELL, WAIT A WHILE."

23 THEN I FOUND OUT 6:00 O'CLOCK THAT MORNING
24 THAT MY SON, MICHAEL, WAS THERE AND THEY HAD SLAPPED HIM
25 AROUND, THIS ONE PARTICULAR DETECTIVE.

1 Q. THE SAME ONE WHO THREW THE GUN ON THE TABLE?

2 A. YES, YES.

3 AND THE LANGUAGE, I MEAN, THEY TREAT YOU
4 DOWN THERE LIKE YOU ARE A PIECE OF SCUM. ALL YOU HEARD ALL
5 NIGHT WAS SCUM BAG, MOTHER F'ERS, PUNK. THEY ARE TERRIBLE
6 DOWN THERE.

7 Q. THEY WERE SAYING THESE WORDS TO YOU?

8 A. THEY WERE SCREAMING THEM AT EVERYBODY; NOT
9 DIRECTLY TO ME, BUT THEY WERE DIRECTED AT MY CHILDREN.

10 Q. YOUR DAUGHTER?

11 A. SHE WAS IN THE ROOM WITH ME WHEN THEY WERE
12 SAYING THESE THINGS.

13 MY SON, WHEN THEY FINALLY LET HIM OUT OF THE
14 INTERROGATION ROOM, WE WERE SITTING -- I DON'T KNOW IF YOU'RE
15 FAMILIAR WITH HOMICIDE, BUT THERE'S TWO BENCHES --

16 REPRESENTATIVE RICHARDSON: HE IS NOT, I AM.

17 A. -- AS YOU WALK THROUGH THE DOOR, THERE IS
18 ONE ON EACH SIDE. AND I WAS SITTING ON THAT BENCH ALONG WITH
19 MY SON AND THERE WAS QUITE A FEW DETECTIVES STANDING AROUND,
20 BUT FURTHER UP, REALLY CURSING WHICH IT DOESN'T BOTHER ME,
21 BUT MY SON GOT VERY UPSET. HE TOLD THEM, "PLEASE WATCH YOUR
22 LANGUAGE, MY MOTHER IS SITTING HERE."

23 BUT EVERY OTHER WORD, IT WAS TERRIBLE, AND
24 -- THEY ARE JUST LIKE A PACK OF ANIMALS. I NEVER THOUGHT
25 POLICE BRUTALITY EXISTED UNTIL THIS HAPPENED TO MY FAMILY.

1 IF SOMEBODY WOULD COME AND TELL ME THAT THERE WAS POLICE
2 BRUTALITY, I WOULDN'T BELIEVE THEM BECAUSE THIS IS HOW MUCH
3 RESPECT I HAVE HAD FOR THE POLICE DEPARTMENT. BUT NOW, IT IS
4 UNREAL THE WAY THAT THEY ARE AND WHAT THEY GET AWAY WITH.

5 AND HOW CAN OUR MAYOR SAY POLICE BRUTALITY
6 DOESN'T EXIST WHEN IT DOES? HE OWES US SOMETHING. WE THE
7 PEOPLE, WE ARE THE ONES THAT PUT THIS MAN IN OFFICE AND NOW
8 HE HAS TURNED HIS BACK ON US BECAUSE OF POLICE BRUTALITY.
9 IT'S IS NOT FAIR.

10 AND COMMISSIONER O'NEILL, HE IS ANOTHER ONE
11 THAT DENIES ALL THESE ALLEGATIONS WHEN IT'S THROWN IN FRONT
12 OF HIM.

13 MY SON WAS BEATEN UP IN MARCH BY THE POLICE.
14 I HAVE PICTURES HERE THAT I CAN SHOW YOU. I WENT DOWN TO
15 INTERNAL AFFAIRS. THEY MADE ME FEEL LIKE MY SON WAS A LIAR,
16 I WAS A LIAR, AND MY WHOLE FAMILY WAS NO GOOD.

17 Q. MARCH OF THIS YEAR?

18 A. YES.

19 Q. WILL YOU TELL US THAT ACCOUNT?

20 A. YES. MY SON WAS PICKED UP SUPPOSEDLY FOR
21 DRUNKEN DRIVING.

22 Q. WHICH SON?

23 A. JAMES, HE WAS 17. IN FACT IT WAS MARCH
24 16TH, THE DAY OF HIS BIRTHDAY.

25 Q. HIS BIRTHDAY?

1 A. YES. IN THE BACK OF HIS CAR HE DID HAVE A
2 SIX-PACK WHEN THE POLICE ARRESTED HIM.

3 Q. HE WAS ARRESTED WHERE?

4 A. OH, I AM SORRY, HE WAS ARRESTED AT HARBISON
5 AVENUE AND BRIDGE.

6 Q. HARBISON AVENUE AND BRIDGE?

7 A. HE WAS STOPPED, SUPPOSEDLY THE CAR WAS
8 SUPPOSED TO BE WEAVING.

9 NOW MY SON TOLD ME THAT THE OFFICER STOPPED
10 HIM FOR A ROUTINE CAR CHECK; BUT ONCE THEY SEE MY CHILDREN'S
11 NAMES, THAT'S ALL MY CHILDREN HAVE TO DO IS MENTION THEIR
12 NAMES AND AUTOMATICALLY THEY ARE ROUGHED UP, HIT WITH A
13 NIGHTSTICK, THEIR HAIR PULLED, THROWN UP AGAINST THE CAR AND
14 CALLED ALL KINDS OF NAMES.

15 WELL, THIS NIGHT THEY GOT MY SON. I HAD
16 GOTTEN A PHONE CALL AT 11:00 O'CLOCK TO COME UP TO THE POLICE
17 STATION. SO I WENT UP THE POLICE STATION.

18 Q. WHAT TIME WAS HE ARRESTED?

19 A. I BELIEVE IT WAS 10:00 A QUARTER AFTER
20 10:00.

21 Q. AND AT 11:00 YOU GOT A CALL TO COME TO THE
22 STATION?

23 A. YES. I WENT UP TO THE POLICE STATION. THEY
24 TOLD ME --

25 Q. THE 15TH DISTRICT?

1 A. YES. THEY TOLD ME THAT HE WAS DOWN AT THE
2 ROUNDHOUSE; AND I SAID, "HE'D BETTER NOT BE DOWN THE
3 ROUNDHOUSE BECAUSE HE IS ONLY A MINOR."

4 Q. WHO IS THE "THEY"?

5 A. THE LIEUTENANT AND THE POLICE OFFICERS UP AT
6 THE 15TH DISTRICT WHO I AM HAVING -- THEY WERE PART OF MY
7 PROBLEMS, THE ONES THAT BROKE INTO MY HOUSE. I HAD TROUBLE
8 WITH THIS ONE PARTICULAR SQUAD, YES, SIR.

9 Q. THEY WERE THE SAME INDIVIDUALS WHO BROKE IN
10 YOUR HOUSE IN '75?

11 A. YES.

12 Q. AND THEY TOLD YOU YOUR SON WAS AT THE
13 ROUNDHOUSE?

14 A. THE LIEUTENANT TOLD ME YES, MY SON WAS AT
15 THE ROUNDHOUSE. AND HE ALSO SAID TO ME, "YOUR SON SEEMS TO
16 THINK BECAUSE YOU HAVE A LAWSUIT IN, THAT HE CAN'T BE
17 ARRESTED." AND I, IN TURN, SAID, "IF YOU DIDN'T DO WHAT YOU
18 DID AT MY HOUSE, I WOULDN'T HAVE TO HAVE A LAWSUIT."

19 SO I LEFT AND I WENT DOWN TO THE
20 ROUNDHOUSE. THEY SAID MY SON WASN'T THERE; HE SHOULDN'T HAVE
21 BEEN BROUGHT DOWN THERE BECAUSE HE WAS A MINOR.

22 THE OFFICER AT THE DESK TOLD ME TO GO -- IN
23 FACT, FIVE MINUTES LATER HE CALLED ME OUT AGAIN, HE SAID,
24 "HE'S ON HIS WAY UP TO THE POLICE STATION." I WOULD SAY WE
25 GOT BACK UP TO THE POLICE STATION MAYBE 12:00 O'CLOCK, A

1 QUARTER AFTER 12:00. THEY WOULDN'T LET ME SEE MY SON. THEY
2 SAID THEY WERE WAITING FOR A J.A.D. OFFICER.

3 I SAID, "WHAT IS HE BEING ARRESTED FOR?"
4 THEY SAID DRUNKEN DRIVING. I WILL SAY HE DID HAVE A SIX-PACK
5 IN THE BACK OF HIS CAR, BUT HE HAD ONE BOTTLE MISSING FROM
6 IT.

7 NOW HE WAS TAKEN DOWN TO THE ROUNDHOUSE FOR
8 THE BREATHALIZER TEST, AND HE WAS PRONOUNCED HE WASN'T DRUNK.

9 REPRESENTATIVE RICHARDSON: IN OTHER WORDS, HE
10 PASSED THE BREATHALIZER TEST?

11 A. YES, HE PASSED THE BREATHALIZER TEST.

12 NOW I WENT BACK UP THE POLICE STATION.
13 THEY TOLD ME TO COME BACK IN A FEW HOURS BECAUSE MY SON HAD
14 TO WAIT FOR THE J.A.D. OFFICER, THE JUVENILE AID OFFICER. SO
15 I GOT A CALL MAYBE IT WAS 1:00 O'CLOCK OR 1:30.

16 CHAIRMAN RHODES:

17 Q. GO AHEAD.

18 A. I WENT BACK UP -- BEFORE WE LEFT, I WAS
19 APPROACHED UP THERE AND SAID IF I DROPPED THE LAWSUIT THAT MY
20 SON'S CHARGES WOULD BE DROPPED. I SAID, "WHAT CHARGES, THEY
21 HAVE NO CHARGES ON HIM." BUT IT WASN'T BY A POLICEMAN, IT
22 WAS A CIVILIAN WHO HANGS IN THE POLICE DISTRICT.

23 SO I SAID TO HIM, "WE CAN'T DROP THE
24 CHARGES. WHAT CHARGES ARE THERE?" I KNEW THEY COULDN'T
25 CHARGE HIM WITH ANYTHING.

1 SO I LEFT. AND I CAME BACK, I GOT A CALL TO
2 COME BACK. AND WHEN I SAW MY SON, WHEN I WENT BACK TO THAT
3 POLICE STATION THE JUVENILE AID OFFICER BROUGHT MY SON
4 BACK,--

5 Q. WHAT TIME WAS THIS?

6 A. THIS WAS AT 1:30.

7 Q. THIS WAS AT THE 15TH DISTRICT?

8 A. YES.

9 Q. THAT IS THE FIRST TIME YOU SAW YOUR SON THAT
10 NIGHT?

11 A. YES.

12 Q. GO AHEAD AND PICK UP THE ACCOUNT THEN.

13 A. WELL, HIS EYE WAS VERY FAR OUT. HE HAD LIKE
14 BRUSH BURNS ON HIS FACE.

15 WHAT THEY HAD DONE TO HIM WAS THEY PUT HIS
16 HANDS BEHIND HIM, HANDCUFFED HIM AND SHOVED HIM IN THE WAGON.
17 AND HE HAD A BROKEN LEG, HE HAD JUST HAD THE CAST OFF OF IT.
18 AND HE SAID, 'PLEASE BE CAREFUL, I JUST GOT THE CAST OFF MY
19 LEG.' THEY SAID 'F' YOUR LEG.'

20 HE SAID, 'PLEASE TAKE ME TO A HOSPITAL.'
21 AND THEY SAID, 'NO WAY.' AND ALL THE WAY DOWN TO THE
22 ROUNDHOUSE THEY TREATED HIM -- THEY WERE BOUNCING HIM ALL
23 AROUND IN THE BACK OF THAT WAGON.

24 Q. WITH HIS HANDS HANDCUFFED BEHIND HIM?

25 A. YES, BEHIND HIM.

1 REPRESENTATIVE RICHARDSON: COULD YOU TELL THEM
2 HOW THEY BOUNCED HIM AROUND. I DON'T THINK THE COMMITTEE
3 UNDERSTANDS.

4 A. WELL, WHEN THEY PUT HIM IN THE WAGON THERE'S
5 LIKE A BENCH ON EACH SIDE. SO IF YOU'RE NOT SECURE IN THAT
6 WAGON, NATURALLY YOU'RE GOING TO BE KNOCKED AROUND IN IT.

7 BUT OF COURSE THE POLICE VERSION OF IT WAS,
8 "WELL, HE WAS DRUNK AND HE FELL, HE TRIPPED," BECAUSE THEY
9 HAVE STEPS ON THE WAGON.

10 CHAIRMAN RHODES:

11 Q. BUT HE DID PASS THE BREATHALIZER?

12 A. YES.

13 Q. ARE THESE PHOTOGRAPHS YOU HAVE GIVEN TO US
14 PHOTOGRAPHS OF YOUR SON?

15 A. YES.

16 Q. WHEN WERE THEY TAKEN?

17 A. THE DATE IS RIGHT ON THERE, THE 17TH OF
18 MARCH, THE NEXT MORNING.

19 Q. SO THEY WERE TAKEN THE NIGHT OF THAT --

20 A. NO, THE NEXT MORNING.

21 Q. ARE THESE COPIES?

22 MRS. ROZANSKI: THEY ARE THAT -- WHAT DO YOU
23 CALL THAT KIND OF CAMERA?

24 REPRESENTATIVE RICHARDSON: POLAROID?

25 MRS. ROZANSKI: YES, POLAROID.

1 MRS. KEDRA: I HAVE COPIES.

2 CHAIRMAN RHODES: MAY WE HAVE THESE?

3 MRS. KEDRA: YES.

4 CHAIRMAN RHODES: LET THE RECORD SHOW THAT THE
5 SUBJECT IN QUESTION APPEARS TO HAVE LACERATIONS ON HIS RIGHT
6 CHEEK AND EYE.

7 AND WE WILL INTRODUCE THEM INTO OUR RECORD,
8 IF THAT IS OKAY WITH YOU.

9 CHAIRMAN RHODES:

10 Q. WHY DON'T YOU GO ON WITH THAT ACCOUNT, MRS.
11 KEDRA.

12 A. (MRS. KEDRA) WELL, AS I WAS SAYING, MY
13 DAUGHTER WAS WITH ME AND WE GOT VERY UPSET WHEN WE SAW THE
14 CONDITION OF HIM. SO I HAD TO FILE A COMPLAINT UP AT THE
15 15TH AGAINST THE POLICEMEN WHO DID THIS TO MY SON. AND THE
16 LIEUTENANT --

17 Q. YOU FILED A COMPLAINT?

18 A. YES.

19 Q. WHAT DAY?

20 A. THERE IS A FORM NOW. I PROBABLY DON'T HAVE
21 IT WITH ME. IT IS A FORM THAT YOU CAN FILE IN THE POLICE
22 STATION.

23 Q. WE UNDERSTAND.

24 A. OKAY. WELL, I HAD TO FILE THIS FORM AGAINST
25 THE POLICEMEN. NOW THAT TOOK ANOTHER, I WOULD SAY, AN HOUR

1 AND A HALF.

2 Q. WHEN DID YOU FILE THIS COMPLAINT?

3 A. THE SAME NIGHT THAT HE WAS BEATEN.

4 Q. THE SAME NIGHT, THE 17TH?

5 REPRESENTATIVE RICHARDSON: THE 16TH?

6 A. WELL, IT WOULD HAVE BEEN THE 17TH BY THEN,
7 YES.

8 REPRESENTATIVE RICHARDSON: EARLY THAT MORNING,
9 IN OTHER WORDS?

10 A. YES, I WOULD SAY IT WAS 3:00 O'CLOCK IN THE
11 MORNING.

12 REPRESENTATIVE RICHARDSON: ALL RIGHT.

13 A. THE LIEUTENANT UP THERE KEPT QUESTIONING MY
14 SON, ASKING HIM THE SAME QUESTIONS OVER AND OVER AGAIN. LIKE
15 HE WAS TRYING TO CONFUSE MY SON AS TO WHAT HAPPENED. AND MY
16 SON KEPT REPEATING THE SAME STORY AS TO WHAT HAPPENED.

17 CHAIRMAN RHODES:

18 Q. ALL THIS QUESTIONING IS GOING ON ABOUT
19 DRUNKEN DRIVING, CHARGES?

20 A. NO, ABOUT BEING BEAT UP, ABOUT THE MARKS ON
21 HIS FACE.

22 Q. OH, I SEE.

23 A. 'WEREN'T YOU DRUNK AND YOU FELL IN THE
24 WAGON?' 'NO, I WASN'T.' 'WELL, I CAN'T SEE HOW YOU FELL IN
25 THAT WAGON.'

1 I SAID: "LIEUTENANT, YOUR HANDS ARE BEHIND
2 YOU, YOU ARE BEING SHOVED, YOU WOULD FALL. SHE KNOWS WHAT HE
3 IS SAYING, I KNOW WHAT HE IS SAYING, WHY DON'T YOU KNOW WHAT
4 HE'S SAYING?"

5 I SAID: "LOOK, IF I HAVE TO STAY HERE ALL
6 NIGHT LONG TO MAKE THIS COMPLAINT BECAUSE I DON'T INTEND
7 LEAVING UNTIL I FILE THIS COMPLAINT -- NOW, IF YOU DON'T WANT
8 TO TAKE MY COMPLAINT, THAT IS FINE. I WILL GO ELSEWHERE AND
9 I AM NOT GOING TO STOP HERE."

10 Q. IN OTHER WORDS, RATHER THAN TAKING DOWN YOUR
11 COMPLAINT VERBATIM AND FILING IT, HE INTERROGATED YOU ABOUT
12 WHY YOU WANTED TO FILE THE COMPLAINT?

13 A. NO, HE DIDN'T INTERROGATE ME, BUT HE WAS
14 INTERROGATING MY SON.

15 Q. WELL, INTERROGATE YOUR SON ABOUT THE FACTS
16 SURROUNDING THE COMPLAINT --

17 A. RIGHT.

18 Q. -- WHILE YOU WERE TRYING TO FILE THE
19 COMPLAINT?

20 A. YES. HE KEPT SAYING, "WELL, I AM GOING TO
21 FILE IT FOR YOU, I'M GOING TO FILE IT FOR YOU." I SAID,
22 "WELL, LET'S GET IT FILED. I HAVE TO TAKE THIS BOY TO THE
23 HOSPITAL."

24 SO I FINALLY FILED IT.

25 Q. HOW LONG DID IT TAKE YOU AGAIN TO FINALLY

1 FILE THE COMPLAINT?

2 A. WELL, WE LEFT, I WOULD SAY WELL, AN HOUR AND
3 A HALF BECAUSE HE WAS RELEASED ABOUT 3:00 O'CLOCK BY THE
4 JUVENILE AID OFFICER.

5 REPRESENTATIVE RICHARDSON: DID YOU GET A COPY
6 OF THE COMPLAINT?

7 A. YES, I DO HAVE IT.

8 REPRESENTATIVE RICHARDSON: DO YOU HAVE THAT?

9 A. I DON'T HAVE IT WITH ME.

10 CHAIRMAN RHODES:

11 Q. HAS ANYTHING COME OF THAT COMPLAINT?

12 A. WELL, I WENT TO INTERNAL AFFAIRS. I ALSO
13 WENT TO THE F.B.I., BECAUSE I DON'T KNOW IF YOU ARE AWARE
14 THEY HAVE A SPECIAL UNIT NOW FOR POLICE BRUTALITY. THEY ALSO
15 HAVE COPIES OF THOSE PICTURES.

16 Q. YES.

17 A. NOW AS FAR AS INTERNAL AFFAIRS WENT, THE
18 INSPECTOR GOT BACK TO ME AND SAID THAT HE BROUGHT THEM DOWN
19 TO HIS OFFICE AND HE DOESN'T -- THERE ISN'T ANY WARRANT FOR
20 PUNISHMENT, HE DOESN'T FEEL AS THOUGH THEY SHOULD BE PUNISHED
21 FOR WHAT THEY DID.

22 REPRESENTATIVE RICHARDSON: WHO SAID THAT?

23 A. THE INSPECTOR DOWN IN INTERNAL AFFAIRS.

24 CHAIRMAN RHODES:

25 Q. DO YOU HAVE THE NAME OF THE INSPECTOR?

1 A. YES.

2 Q. YOU HAVE TO KEEP TRACK OF ALL THESE NAMES
3 YOU ARE GOING TO GIVE US AT THE END OF THE HEARING.

4 A. I HAVE THEM.

5 Q. IS THERE ANYTHING ELSE YOU WANT TO TELL US
6 ABOUT THAT INCIDENT, MRS. KEDRA?

7 A. NO, NOT THAT ONE.

8 Q. ARE THERE ANY OTHER INCIDENTS THAT YOU HAVE
9 HAD OR YOUR FAMILY HAD WITH THE POLICE DEPARTMENT THAT YOU
10 WOULD LIKE TO TELL US ABOUT?

11 A. WELL, IN JUNE OF '75, MY ONE SON, JIMMY, THE
12 POLICE CAME TO MY HOUSE AND ASKED ME IF I WOULD TAKE HIM IN
13 THE DISTRICT FOR QUESTIONING. A BOY IN THE NEIGHBORHOOD WAS
14 BEATEN UP AND MY SON JIMMY WAS ACCUSED OF BEATING THIS BOY
15 UP.

16 Q. GO AHEAD.

17 A. NOW, I WENT UP TO THE POLICE STATION WITH MY
18 SON VOLUNTARILY.

19 Q. THE 17TH DISTRICT AGAIN?

20 A. THE 15TH.

21 Q. THE 15TH DISTRICT AGAIN?

22 A. YES.

23 Q. GO AHEAD.

24 A. HE WAS QUESTIONED WITHOUT MY PRESENCE. HE
25 WAS ACCUSED THAT, 'IF THIS BOY DIES, YOU ARE GOING TO GO TO

1 JAIL FOR MURDER.' AS IT TURNED OUT, MY SON NEVER TOUCHED
2 THAT BOY. HE TRIED TO TELL THEM THAT HE WAS IN SCHOOL AT THE
3 TIME IT HAPPENED.

4 AS THE THING WOUND UP THE BOY THAT ACCUSED
5 HIM, HE BEAT THE BOY UP, IT WAS THE BOY'S OWN BROTHER.

6 THAT WAS ONE INCIDENT -- THEY NEVER EVEN
7 CALLED ME, THEY KEPT ME UP THERE FOR FOUR AND A HALF HOURS.
8 THEY NEVER CALLED AND SAID, 'WE ARE VERY SORRY,' NOTHING. DO
9 YOU KNOW WHAT WAS SAID TO MY SON? 'WELL, I HOPE YOU GET THIS
10 ONE,' THIS WAS SAID IN FRONT OF MY SON -- I AM SORRY, 'WE
11 HOPE YOU GET THIS ONE BECAUSE WE DIDN'T HAVE NO LUCK WITH THE
12 OTHERS.'

13 AND I KNOW THE SERGEANT'S NAME WHO ALSO SAID
14 THAT.

15 NOW I NEVER DID FIND OUT THE JUVENILE
16 OFFICER'S NAME WHO ACCUSED MY SON OF BEATING THIS BOY UP AND
17 SAYING TO HIM, 'IF THIS BOY DIES, YOU ARE GOING TO GO TO JAIL
18 FOR MURDER.'

19 MY SON KEPT TELLING HIM, 'I DIDN'T DO IT,
20 YOU CAN CHECK IN SCHOOL THAT I WAS IN SCHOOL AT THE TIME WHEN
21 IT HAPPENED.'

22 AND THE IRONIC PART OF IT, WHERE THIS BOY
23 GOT BEAT UP, THIS DETECTIVE USED TO LIVE, WHO IS INVOLVED IN
24 OUR CASE. AND I FEEL AS THOUGH HE HAD SOMETHING TO DO WITH
25 IT. I COULD BE WRONG, BUT I FEEL VERY STRONGLY BECAUSE IT

1 WAS SO IRONIC.

2 MY ONE SON, MICHAEL WAS BEATEN VERY BADLY BY
3 A DETECTIVE ALSO IN THIS CASE, THE SAME DETECTIVE.

4 Q. WHEN DID THIS OCCUR?

5 A. THIS ALSO HAPPENED IN JUNE OF '75 -- I AM
6 SORRY, IT WAS '76.

7 Q. BOTH THOSE LAST INCIDENTS WERE '76?

8 A. '76.

9 Q. ALL RIGHT, WHAT WERE THE FACTS SURROUNDING
10 THE BEATING OF MICHAEL?

11 A. WELL, HE WAS ARRESTED FOR MARIJUANA,
12 POSSESSION OF MARIJUANA. HE WAS TAKEN DOWN TO THE
13 ROUNDHOUSE.

14 (BRIEF INTERRUPTION.)

15 Q. I AM SORRY, GO AHEAD.

16 A. HE WAS TAKEN DOWN TO THE ROUNDHOUSE, AND HE
17 WAS A MINOR. THIS PARTICULAR DETECTIVE BEAT HIM VERY BADLY.

18 MICHAEL WENT INTO COURT. THE AITORNEY THAT
19 I HAD AT THE TIME NEVER BROUGHT UP IN COURT THAT MICHAEL WAS
20 BEATEN OR --

21 Q. WHERE WAS HE BEATEN?

22 A. WHERE WAS HE BEATEN?

23 Q. YES, WHAT LOCATION, WHAT PLACE WAS HE
24 BEATEN?

25 A. DOWN AT THE ROUNDHOUSE.

1 Q. THE ROUNDHOUSE?

2 A. YES. NOW THIS DETECTIVE AT THE TIME WAS IN
3 HOMICIDE AND THEY HAD MY SON IN NARCOTICS. I FEEL THEY NEVER
4 SHOULD HAVE TAKEN MY SON DOWN THERE BEING THAT HE IS A MINOR.

5 Q. ARE THERE ANY OTHER ACCOUNTS YOU WOULD LIKE
6 TO RELATE TO THE COMMITTEE, MRS. KEDRA?

7 A. THERE IS A LOT MORE I WOULD LIKE TO TELL
8 YOU, BUT I AM REALLY, REALLY AFRAID BECAUSE MY FAMILY HAS
9 BEEN HARASSED. THEY HAVE BEEN PICKED UP, LEFT AND RIGHT.
10 CHARGES -- SOMETIMES THEY WERE CHARGED WITH ABSOLUTELY
11 NOTHING. SO I AM AFRAID OF POLICE RETALIATION.

12 NOW I AM DOWN HERE TONIGHT BECAUSE I WANT TO
13 BE DOWN HERE, BUT TOMORROW I DON'T KNOW WHAT IS GOING TO
14 HAPPEN BECAUSE THEY WILL FIND OUT I'M DOWN HERE, THEY WILL
15 PICK UP ONE OF MY KIDS AND GOD KNOWS WHAT THEY ARE GOING TO
16 DO TO THEM.

17 BUT DO YOU KNOW WHAT, I AM TO THE POINT
18 WHERE I AM NOT GOING TO TAKE ANY MORE FROM THEM, BECAUSE I
19 HAVE HAD IT.

20 I LIVE IN CONSTANT FEAR EVERY TIME MY BOYS
21 WALK OUT THAT DOOR. I HEAR A POLICE SIREN, AND I GET SCARED
22 BECAUSE I DON'T KNOW, MAYBE ONE OF MY SONS GOT PICKED UP AND
23 MAYBE THEY BEAT THEM UP AGAIN.

24 THEY PICKED UP MY SON, HE WAS ELEVEN YEARS
25 OLD, RIDING HIS BIKE THROUGH A CEMETERY, HANDCUFFED HIM AND

1 PUT HIM IN THE WAGON. AND THE COP SAID, 'YOU HAD BETTER
2 HANDLE THIS ONE WITH CARE OR YOUR NAME WILL BE IN THE
3 INQUIRER.' THEY NEVER CHARGED HIM WITH ANYTHING.

4 Q. YOUR 11-YEAR-OLD SON?

5 A. YES, MY 11-YEAR-OLD SON.

6 REPRESENTATIVE RICHARDSON: WHAT DID THEY DO
7 WITH HIS BICYCLE?

8 MRS. ROZANSKI: PUT IT IN THE WAGON.

9 MRS. KEDRA: THEY PUT IT IN THE WAGON.

10 AND I WAS UP THERE FOR QUITE AWHILE. I TOLD
11 THEM I HAD TO GO TO WORK. THEY DIDN'T CARE. AND IF IT
12 WASN'T FOR THIS ONE POLICEMAN UP THERE THAT I KNEW, I WOULD
13 HAVE BEEN SITTING THERE MAYBE FOR THREE OR FOUR HOURS.

14 CHARMAN RHODES:

15 Q. MRS. KEDRA, I KNOW IT IS DIFFICULT FOR YOU
16 TO TALK ABOUT THESE MATTERS, BUT THE MORE WE KNOW, THE MORE
17 THE SUBCOMMITTEE CAN ACT, AND --

18 A. BUT YOU DON'T HAVE TO LIVE WITH WHAT I HAVE
19 TO LIVE WITH.

20 CAN YOU GUARANTEE THEY ARE NOT GOING TO
21 RETALIATE AGAINST MY FAMILY?

22 REPRESENTATIVE RICHARDSON: YOU ARE RIGHT, MRS.
23 KEDRA.

24 CHAIRMAN RHODES:

25 Q. MRS. KEDRA, I UNDERSTAND THAT. THE ONLY WAY

1 WE ARE EVER GOING TO DO ANYTHING ABOUT PHILADELPHIA POLICE
2 BEHAVIOR OF THE KIND THAT YOU HAVE DESCRIBED IS IF THIS
3 COMMITTEE KNOWS THE FULL FACTS.

4 AS MUCH AS THE COMMONWEALTH CAN GUARANTEE
5 THAT THERE WILL NOT BE RETALIATION, THAT IS AS MUCH AS WE CAN
6 GUARANTEE.

7 A. WHEN WE WERE GOING TO TRIAL, THE JUDGE SAID
8 HE WANTED NO HARASSMENT, NOTHING. WE WERE STILL HARASSED.
9 NOBODY DID A THING.

10 DO YOU KNOW WHEN I GOT HELP? I WENT TO
11 P.I.L.C.O.P., THEY ARE THE ONLY PEOPLE THAT CARE.

12 THE LAWYER I HAD, HE DIDN'T GIVE A DAMN.
13 ALL HE CARED ABOUT WAS THE ALMIGHTY DOLLAR. EVERY TIME I
14 CALLED HIM, EVERYTIME THE POLICE RODE BY MY HOUSE AND
15 HARASSED MY FAMILY AND PICKED UP MY CHILDREN, ALL I EVER
16 HEARD FROM THE ATTORNEY WAS, 'DON'T WORRY ABOUT IT, WE WILL
17 TAKE CARE OF IT.' I SAID, 'YES, YOU WILL TAKE CARE OF IT,
18 BUT YOU ARE NOT GOING THROUGH IT, MY FAMILY IS.'

19 I AM TIRED OF MY SONS BEING BEAT UP.

20 MY DAUGHTERS WERE BEING FOLLOWED TO WORK BY
21 THE POLICE, AND IT IS THE SAME POLICEMEN THAT WERE INVOLVED
22 IN BREAKING IN MY HOUSE. EVERY TIME MY SONS GOT PICKED UP,
23 'YOUR MOTHER IS A WHORE, YOUR WHOLE FAMILY IS NO GOOD.'

24 I HAVE TO TAKE THIS FROM THOSE PEOPLE? NO
25 WAY.

1 Q. MRS. KEDRA, I AM CURIOUS AS TO WHY THE
2 POLICE OFFICERS -- WHY DID THE POLICE PICK ON YOU AND YOUR
3 FAMILY?

4 A. BECAUSE I HAVE A LAWSUIT. COMMON SENSE WILL
5 TELL YOU THAT. I NEVER HAD NO TROUBLE WITH THE POLICE BEFORE
6 THIS.

7 MY SON WAS PICKED UP FOR CORNER LOUNGING,
8 ONE WAS PICKED UP HUFFING GLUE. I NEVER HAD ANY PROBLEMS
9 WITH THE POLICE BEFORE THIS.

10 WHY WAS I APPROACHED AT THE 15TH DISTRICT?
11 IF I DROPPED THE LAWSUIT THEY WOULD DROP THE CHARGES. THEY
12 NEVER HAD NO CHARGES ON MY SON, JIMMY. HE NEVER WENT TO
13 COURT FOR THAT DRUNKEN DRIVING CHARGE, BECAUSE THEY HAD
14 NOTHING.

15 CHAIRMAN RHODES: REPRESENTATIVE WHITE HAS A
16 FEW QUESTIONS HE WOULD LIKE TO ASK YOU BEFORE WE GO ON.

17 REPRESENTATIVE WHITE:

18 Q. MY QUESTIONS ARE DIRECTED FIRST TO MRS.
19 ROZANSKI.

20 YOU WERE PRESENT AT THE TIME THAT THE POLICE
21 BROKE INTO THE HOME ON THE 29TH OF DECEMBER; IS THAT CORRECT?

22 A. (MRS. ROZANSKI) YES.

23 Q. ARE YOU FAMILIAR WITH OFFICER PITNEY?

24 A. VERY MUCH.

25 Q. ARE YOU FAMILIAR WITH OFFICER BRADY?

1 A. YES.

2 Q. IN WHAT CAPACITY ARE YOU FAMILIAR WITH THEM?

3 A. FROM THAT DAY ON.

4 Q. FROM THAT DAY ON?

5 A. YES.

6 Q. WERE THEY AMONG THE OFFICERS WHO ENTERED
7 YOUR HOME THAT DAY?

8 A. YES.

9 Q. COULD YOU DESCRIBE FOR THIS COMMITTEE -- YOU
10 HAVE GONE THROUGH THE TESTIMONY WITH REGARD TO THE BEATINGS
11 AND WHAT-NOT. WAS THE HOUSE IN ANY WAY RAMSHACKLED, WAS
12 ANYTHING BROKEN?

13 A. YES, A LOT OF THINGS. THEY EVEN TURNED THE
14 BEDS OVER. THEY OPENED THE DRAWERS.

15 Q. THEY WERE LOOKING FOR --

16 A. MY FUTURE HUSBAND, WHO WAS SITTING IN THE
17 KITCHEN, AT THE TABLE ON THE TELEPHONE.

18 Q. WHILE THIS WAS GOING ON?

19 A. THEY WALKED RIGHT PAST HIM. THEY WERE
20 COMING IN THE BACK DOOR AND COMING IN THE FRONT DOOR. THEY
21 WENT UP THE STEPS, SOME WENT DOWN TO THE BASEMENT AND THE
22 OTHERS WENT IN THE LIVING ROOM AND IN THE KITCHEN.

23 THE ONES UPSTAIRS -- MY SISTER WAS IN HER
24 BEDROOM GETTING DRESSED AND THEY WALKED IN ON HER. SHE
25 TURNED AROUND AND SAID, "GET THE HELL OUT OF MY BEDROOM,"

1 WHICH THEY DID TURN AROUND AND WALK OUT, BUT SHE WAS STANDING
2 THERE WITH HER NIGHTGOWN ON GETTING READY TO GET DRESSED.

3 Q. DID THEY BRANDISH WEAPONS?

4 A. OH, YES.

5 Q. DID THEY USE THE WEAPONS IN ANY WAY?

6 A. AT THE END, THE GUNS, THE RIFLES, WHATEVER,
7 THEY HIT THEM ON THE HEADS WITH.

8 CHAIRMAN RHODES: THE BUTTS.

9 REPRESENTATIVE WHITE:

10 Q. THEY WERE USING THE BUTTS OF THE RIFLE?

11 A. ON MY BROTHER, KENNY'S HEAD.

12 Q. ON YOUR BROTHER KENNY'S HEAD, STRIKING HIM?

13 A. YES.

14 Q. DID THEY USE THE WEAPONS IN ANY WAY TO
15 DESTROY PROPERTY?

16 A. NOT INTENTIONALLY.

17 Q. THERE WERE NO WINDOWS BROKEN OR --

18 A. OUR FRONT DOOR WAS BROKEN. OUR CHRISTMAS
19 TREE WAS ON THE FLOOR. OUR LAMP WAS ON THE FLOOR, BROKEN.
20 THE TABLE WAS BROKEN. MY SISTER'S GRADUATION PICTURES WERE
21 BROKEN.

22 Q. HOW DID ALL OF THESE THINGS GET BROKEN?

23 A. WHEN THE POLICE STARTED HITTING MY FAMILY,
24 THEY JUST START THROWING EVERYBODY ACROSS THE ROOM.

25 Q. AND THEY WERE THROWING THEM INTO THESE

1 DIFFERENT ITEMS THAT YOU WERE DESCRIBING?

2 A. YES.

3 Q. ARE YOU FAMILIAR WITH LIEUTENANT MILLER?

4 A. YES.

5 Q. IN WHAT CAPACITY ARE YOU FAMILIAR WITH
6 LIEUTENANT MILLER?

7 A. HE WAS THE ONE THAT HIT MY SISTER.

8 Q. WERE YOUR BROTHERS JOEY, KENNY AND MICHAEL
9 AND BOBBY, SUBSEQUENTLY ARRESTED AT THAT TIME?

10 A. YES.

11 MRS. KEDRA: BOBBY WASN'T.

12 MRS. ROZANSKI: BOBBY -- JUST JOEY, MICHAEL AND
13 KENNY.

14 REPRESENTATIVE WHITE:

15 Q. JOEY, MICHAEL, AND KENNY WERE ARRESTED?

16 A. (MRS. ROZANSKI) YES.

17 Q. WHAT WERE THEY CHARGED WITH?

18 A. HINDERING THE APPREHENSION OF A FUGITIVE,
19 RESISTING ARREST, AND ASSAULT AND BATTERY ON A POLICE
20 OFFICER.

21 Q. WAS AGGRAVATED ASSAULT AMONG THOSE CHARGES?

22 A. YES.

23 (BRIEF INTERRUPTION.)

24 CHAIRMAN RHODES: YOU WERE SAYING,

25 REPRESENTATIVE WHITE?

1 REPRESENTATIVE WHITE:

2 Q. JOEY, KENNY, AND MICHAEL WERE ARRESTED AND
3 THEY WERE CHARGED WITH AGGRAVATED ASSAULT? THEY WERE CHARGED
4 WITH ASSAULT ON A POLICE OFFICER? THEY WERE CHARGED WITH
5 HINDERING THE APPREHENSION OF A FUGITIVE?

6 MRS. KEDRA: THOSE CHARGES WERE DROPPED,
7 THOUGH, WHEN THEY WENT TO COURT.

8 MRS. ROZANSKI: THEY WERE STILL CHARGES.

9 REPRESENTATIVE WHITE: THEY WERE CHARGED WITH
10 ALL OF THOSE CHARGES?

11 MRS. KEDRA: I AM SORRY. HINDERING THE
12 APPREHENSION OF A FUGITIVE, THEY WERE DROPPED BEFORE THEY
13 WENT TO COURT. BEFORE JOEY, KENNY, AND MICHAEL ALL WENT TO
14 COURT. THOSE CHARGES WERE DROPPED, YES.

15 REPRESENTATIVE WHITE:

16 Q. THOSE CHARGES WERE DROPPED.

17 ARE YOU FAMILIAR WITH DETECTIVE STROHM?

18 A. (MRS. ROZANSKI) YES. DETECTIVE STROHM
19 THREATENED TO THROW ACID IN MY FACE.

20 CHAIRMAN RHODES: HOW DO YOU SPELL HIS NAME,
21 FOR THE RECORD?

22 REPRESENTATIVE WHITE: S-T-R-O-H-M.

23 CHAIRMAN RHODES:

24 Q. WHEN DID DETECTIVE STROHM THREATEN TO THROW
25 ACID IN YOUR FACE?

1 A. (MRS. ROZANSKI) DOWN AT THE ROUNDHOUSE,
2 DECEMBER 29TH -- EXCUSE ME, THE 22ND, THE 22ND IT WAS.

3 Q. HAVE EITHER OF YOU HAD ANY CONVERSATIONS, OR
4 WERE EITHER OF YOU INTERROGATED BY OR QUESTIONED BY DETECTIVE
5 STROHM?

6 MRS. KEDRA: SHE WAS, YES.

7 REPRESENTATIVE WHITE:

8 Q. YOU WERE?

9 A. (MRS. ROZANSKI) YES.

10 Q. WHAT WAS THE NATURE OF THE INTERROGATION?

11 A. HE WANTED ME TO TELL HIM THAT MY FUTURE
12 HUSBAND JUST COMMITTED A MURDER. AND I TOLD HIM THERE WAS NO
13 WAY BECAUSE I DIDN'T BELIEVE IT; THERE IS NO POSSIBLE WAY
14 BECAUSE I WAS WITH HIM 24 HOURS A DAY.

15 AND IN TURN HE TRIED TO TELL ME THAT MY
16 BROTHER DID IT. THEN AFTER THAT HE TRIED TO TELL ME THAT I
17 DID IT. AND I TOLD HIM -- I SIGNED MY RIGHTS WHEN I FIRST
18 GOT DOWN THERE, BUT WHEN I WALKED INTO HOMICIDE I DIDN'T EVEN
19 KNOW WHAT HOMICIDE MEANT. I DIDN'T EVEN KNOW WHAT IT MEANT.
20 I SIGNED MY RIGHTS.

21 WHEN THEY TOLD ME THAT THEY FOUND THIS
22 PERSON'S BODY, I WAS IN SHOCK. I GOT HYSTERICAL, CRYING.

23 HE TURNED AROUND AND SAID TO ME, 'WHAT ARE
24 YOU SO SHOCKED ABOUT, YOU DID IT.' LIKE I SAID, I DIDN'T
25 EVEN KNOW WHAT HOMICIDE WAS.

1 AFTER I HEARD WHAT IT WAS, FOR MURDER, I
2 TOLD HIM I WANTED A LAWYER. HE TOLD ME, "YOU ARE NOT GETTING
3 AN 'F-'G' LAWYER." THEN I ALSO SAID I WAS SICK, I WANTED TO
4 SEE MY MOTHER. "YOU ARE NOT SEEING ANYBODY UNTIL YOU TELL
5 ME THAT YOUR FUTURE HUSBAND DID IT."

6 Q. AFTER THE PRELIMINARY HEARING, AT WHICH TIME
7 I BELIEVE IT WAS JOEY, KENNY, AND MICHAEL WERE BROUGHT BEFORE
8 THE MUNICIPAL COURT JUDGE?

9 A. MICHAEL WENT TO JUVENILE COURT.

10 Q. MICHAEL WENT TO JUVENILE COURT. JOEY AND
11 KENNY?

12 A. YES.

13 Q. AFTER THE PRELIMINARY HEARING, WAS THERE
14 EVER ANOTHER OCCASION WHERE YOU HAD AN ENCOUNTER WITH
15 DETECTIVE STROHM, OR ANY MEMBER OF YOUR FAMILY?

16 MRS. KEDRA: YES, UP AT THE 15TH.

17 MRS. ROZANSKI: YES, AFTER MY HUSBAND WAS
18 ARRESTED FOR THIS MURDER THEY WERE THROWING CHARGES ON HIM
19 THAT YOU WOULDN'T BELIEVE. HE HAD BURGLARIES, HE HAD AKSON,
20 OTHER ONES THAT I CAN'T EVEN REMEMBER.

21 WE WERE AT A BURGLARY HEARING UP AT THE
22 15TH. DETECTIVE STROHM WALKED UP TO ME AND TOLD ME THAT I
23 WAS GOING TO GET UP ON THAT STAND AND TESTIFY AGAINST MY
24 FUTURE HUSBAND. AND I TOLD HIM I WASN'T GOING TO DO IT.

25 HE GRABBED ME BY MY ARM AND PULLED ME, AND

1 MY MOTHER HAD TO TELL HIM TO GET HIS HANDS OFF OF ME. A
2 STAKE-OUT OFFICER HAD TO COME OVER AND TAKE HIS HAND FROM MY
3 ARM AND TELL HIM TO LEAVE ME ALONE. AND THEY LITERALLY
4 CARRIED STROHM BY THE ARMS, OUT OF THE COURTROOM.

5 MRS. KEDRA: OUT OF THE COURTROOM. IT WAS A
6 HIGHWAY OFFICER AND A COURT OFFICER, AND THEY WERE ARGUING
7 OUT IN THE HALLWAY.

8 REPRESENTATIVE WHITE:

9 Q. HOW SOON AFTER THE PRELIMINARY HEARING WAS
10 ANY OTHER MEMBER OF YOUR FAMILY REARRESTED?

11 A. (MRS. KEDRA) THAT WAS IN MAY -- JUNE. I
12 CAN'T REMEMBER WHEN MY SON, MICHAEL, WENT TO COURT. I KNOW
13 MY SONS, JOE AND KENNY WENT IN MAY, BUT MICHAEL WAS ARRESTED
14 IN JUNE.

15 Q. DO EITHER OF YOU HAVE KNOWLEDGE OF THE
16 PRELIMINARY HEARING WHICH TOOK PLACE ON JANUARY 16, 1976?

17 A. WHERE, AT CITY HALL?

18 Q. BEFORE MUNICIPAL COURT JUDGE JOSEPH MCCABE.

19 A. (MRS. ROZANSKI) THERE WERE SO MANY OF THEM.
20 I AM NOT SURE.

21 I THINK JUDGE MCCABE WAS THE ONE THAT THREW
22 MY HUSBAND'S CHARGES OUT; AND WITHIN THREE HOURS LATER HE WAS
23 REARRESTED.

24 Q. WHO WAS HE REARRESTED BY?

25 A. I DON'T REMEMBER THE JUDGE'S NAME, BUT

1 STROHM WAS BEHIND THAT.

2 Q. DETECTIVE STROHM?

3 A. YES, HE WAS.

4 Q. DID DETECTIVE STROHM REARREST YOUR HUSBAND?

5 A. YES.

6 Q. WERE YOU PRESENT IN THE COURTROOM?

7 A. NO.

8 Q. ARE YOU FAMILIAR WITH DETECTIVE CASSIDY?

9 A. YES.

10 Q. IN WHAT CAPACITY ARE YOU FAMILIAR WITH
11 DETECTIVE CASSIDY?

12 A. HE QUESTIONED ME.

13 MRS KEDRA: TELL HIM WHAT HE DID TO RICHIE DOWN
14 AT THE ROUNDHOUSE.

15 MRS. ROZANSKI: WELL, WHAT I CAN TELL YOU RIGHT
16 NOW IS HEARSAY, I DIDN'T ACTUALLY SEE IT; BUT DETECTIVE
17 STROHM CAME INTO THE ROOM WHERE I WAS AND TOLD ME THAT RICHIE
18 WANTED TO SEE ME, THAT HE HAD JUST CONFESSED.

19 AND I WALKED INTO THE ROOM WHERE RICHIE WAS
20 AND HE WAS SITTING THERE WITH MARKS ALL OVER HIS FACE. HIS
21 SHIRT WAS TORN AND HE HAD BLOOD ON IT.

22 AND I SAID TO HIM, 'WHAT HAPPENED?' AND HE
23 SAID, 'I FELL,' BECAUSE THEY TOLD HIM IF HE WOULD HAVE TOLD
24 ME THAT THEY BEAT HIM, THEY WERE GOING TO TAKE HIS CLOTHES
25 OFF HIM, TIE HIM DOWN AND BEAT HIM BETWEEN THE LEGS SO HE

1 WILL NEVER HAVE ANOTHER WOMAN.

2 CHAIRMAN RHODES:

3 Q. THAT IS WHAT THEY TOLD YOUR BROTHER, RICHIE?

4 A. MY HUSBAND.

5 MRS. KEDRA: HER HUSBAND. HE WAS HER FIANCE AT
6 THE TIME.

7 REPRESENTATIVE WHITE:

8 Q. TO YOUR KNOWLEDGE, --

9 A. (MRS. ROZANSKI) OH, THEY TOLD ME THAT.

10 Q. TO YOUR KNOWLEDGE, WERE DETECTIVE STROHM
11 AND DETECTIVE CASSIDY PRESENT DURING THE INTERROGATION OF
12 YOUR HUSBAND?

13 A. YES.

14 MRS. KEDRA: ON DECEMBER 26TH, DETECTIVE
15 CASSIDY CAME TO MY HOUSE AND DETECTIVE MCCABE. THEY WERE
16 LOOKING FOR RICHARD.

17 NOW EARLIER -- THIS WAS LATER. I AM GETTING
18 AHEAD OF MY STORY. ON DECEMBER 26TH, ABOUT 10:30 IN THE
19 MORNING TWO DETECTIVES CAME TO MY HOUSE BUT I DON'T KNOW
20 THEIR NAMES, SAID THAT THEY WERE LOOKING FOR MY SON-IN-LAW
21 AND WANTED TO TAKE HER IN FOR QUESTIONING. I DIDN'T KNOW
22 THAT SHE DIDN'T HAVE TO GO IN. SO I WENT WITH HER.

23 BEFORE I LEFT MY HOUSE I SAID TO MY SON,
24 JOE, "I WANT A LAWYER. I AM NOT GOING TO GO THROUGH THIS
25 AGGRAVATION." SO IN TURN, WE WENT DOWN TO THE ROUNDHOUSE.

1 WE WEREN'T THERE THAT LONG; BUT WHEN I CAME HOME, DETECTIVE
2 CASSIDY AND MCCABE WERE SITTING ON THE SIDE STREET. I LIVE
3 ON GRANITE STREET. GRANITE STREET RUNS THIS WAY AND GLENLOCH
4 STREET RUNS THIS WAY. (INDICATING) THEY WERE SITTING ON
5 GLENLOCH STREET.

6 I WENT OVER TO THE CAR AND I ASKED THEM WHY
7 WERE THEY SITTING THERE. AND THEY SAID THEY WERE JUST
8 WAITING FOR MY SON-IN-LAW TO COME HOME. I SAID, "WELL, LOOK,
9 YOU DON'T HAVE TO SIT HERE. YOU ARE WELCOMED TO COME INTO MY
10 HOUSE AND WAIT FOR HIM."

11 WELL, THEY DID, MAYBE THEY CAME IN FOR AN
12 HOUR. THEY DIDN'T SAY ANYTHING, BUT JUST SAID THEY WANTED TO
13 QUESTION HIM. I SAID, "LOOK, WHEN HE COMES HOME HERE, I
14 WILL TELL HIM THAT YOU WANT TO QUESTION HIM, AND HE WILL GO
15 DOWN." BUT FROM THAT DAY ON THEY HAD MY HOUSE STAKED OUT,
16 AND THAT'S WHY I SAY THEY KNEW THAT I WAS IN THE HOSPITAL.

17 Q. TO THE KNOWLEDGE OF EITHER ONE OF YOU, IS
18 LIEUTENANT MILLER STILL ON THE PHILADELPHIA POLICE FORCE?

19 A. (MRS. KEDRA) YES.

20 A. (MRS. ROZANSKI) YES.

21 Q. IS OFFICER BRADY STILL A MEMBER OF THE
22 PHILADELPHIA POLICE FORCE?

23 A. (MRS. KEDRA) YES.

24 A. (MRS. ROZANSKI) YES.

25 Q. IS OFFICER PITNEY A MEMBER OF THE

1 PHILADELPHIA POLICE FORCE?

2 CHAIRMAN RHODES: COULD YOU SPELL OFFICER
3 PITNEY'S NAME, FOR THE RECORD.

4 REPRESENTATIVE WHITE: P-I-T-N-E-Y.

5 REPRESENTATIVE WHITE:

6 Q. OFFICER PITNEY IS PRESENTLY A MEMBER OF THE
7 PHILADELPHIA POLICE DEPARTMENT?

8 A. (MRS. KEDRA) YES.

9 A. (MRS. ROZANSKI) YES.

10 Q. IS DETECTIVE CASSIDY PRESENTLY A MEMBER OF
11 THE PHILADELPHIA POLICE DEPARTMENT?

12 A. (MRS. KEDRA) YES.

13 A. (MRS. ROZANSKI) YES.

14 Q. IS DETECTIVE STROHM STILL A MEMBER OF THE
15 PHILADELPHIA POLICE DEPARTMENT?

16 A. (MRS. KEDRA) YES, HE GOT A PROMOTION TO
17 SERGEANT.

18 Q. TO SERGEANT?

19 A. YES. IS THIS WHAT THEY DO, YOU BEAT PEOPLE
20 UP AND THEN YOU GET PROMOTED FOR IT?

21 HE WENT FROM HOMICIDE TO NARCOTICS WITH A
22 PROMOTION.

23 IS THIS THE KIND OF POLICE FORCE WE HAVE,
24 THAT YOU ARE A GOOD COP BECAUSE YOU BEAT PEOPLE UP AND YOU
25 ARE GOING TO GET A RAISE?

1 CHAIRMAN RHODES:

2 Q. MRS. KEDRA, BEFORE WE GO ON TO OPEN IT UP TO
3 THE MEMBERS OF THE COMMITTEE, REPRESENTATIVE WHITE WANTED TO
4 GET THIS ON THE RECORD; BUT I WANT TO KNOW, IS THERE ANYTHING
5 ELSE YOU WANTED TO TELL US BEFORE WE OPEN FOR QUESTIONS?

6 REPRESENTATIVE RICHARDSON: I HAVE SOMETHING I
7 WANT TO SAY BEFORE QUESTIONING.

8 CHAIRMAN RHODES: ALL RIGHT, REPRESENTATIVE
9 RICHARDSON.

10 REPRESENTATIVE RICHARDSON:

11 Q. IN RELATIONSHIP TO THE BEATING THAT
12 REPRESENTATIVE WHITE JUST WENT THROUGH, ARE YOU FAMILIAR WITH
13 A DETECTIVE RICHARDSON?

14 A. (MRS. ROZANSKI) YES.

15 Q. WILL YOU TELL US WHAT HAPPENED AS A RESULT
16 OF THAT?

17 A. DETECTIVE RICHARDSON WAS ALSO QUESTIONING ME
18 TOO.

19 Q. AND WHAT, IF ANYTHING, HAPPENED BETWEEN HE
20 AND YOUR HUSBAND?

21 A. I CAN'T ANSWER THAT, BECAUSE I DON'T
22 REMEMBER. THERE WERE SO MANY OF THEM.

23 (PAUSE.)

24 REPRESENTATIVE RICHARDSON:

25 Q. DID HE ENTER THE ROOM AT ALL WHILE YOUR

1 HUSBAND WAS BEING INTERROGATED?

2 A. (MRS. ROZANSKI) OH, YES.

3 Q. DO YOU KNOW WHAT HAPPENED AS A RESULT OF
4 THAT?

5 A. AS I BELIEVE, RICHARDSON ALSO STRUCK MY
6 HUSBAND.

7 Q. WHAT DID HE STRIKE HIM WITH, IF YOU KNOW?

8 A. A METAL DETECTOR BAR, THOSE BARS -- THE LIE
9 DETECTOR BARS THEY PUT ACROSS YOU. HE WAS BEATING HIM WITH
10 THAT.

11 Q. DO YOU KNOW, IF YOU REMEMBER, POSSIBLY FROM
12 A DISCUSSION WITH YOUR HUSBAND, DO YOU KNOW HOW MANY TIMES HE
13 WAS STRUCK WITH THAT INSTRUMENT?

14 A. NO. HE WAS BEATEN UP PRETTY BADLY. I WAS
15 THERE 17 HOURS AND I WOULD SAY HE WAS BEATEN TEN OF THE 17
16 HOURS THAT I WAS THERE.

17 Q. DO YOU KNOW WHERE HE HIT HIM ON HIS BODY?

18 A. OH, YES. WE WENT TO THE DOCTOR DECEMBER
19 24TH, ON CHRISTMAS EVE. HE WAS HIT IN HIS TESTICLES. HE HAD
20 BACK PROBLEMS. HE WAS ALSO HIT IN THE BACK OF THE HEAD,
21 WHICH TODAY HE STILL HAS A LUMP, WHICH HE IS SCARED TO HAVE
22 IT TAKEN CARE OF.

23 Q. WAS THERE ANY TESTIMONY RELEVANT TO HIM
24 BEING HIT IN HIS TESTICLES, THAT YOU CAN REMEMBER, THAT WAS
25 SAID BY ANY OF THE DETECTIVES?

1 A. WHEN THEY HIT HIM, THEY ALSO TURNED AROUND
2 AND SAID TO HIM, 'YOU ARE NEVER GOING TO HAVE ANOTHER WOMAN.'

3 (PAUSE.)

4 CHAIRMAN RHODES: ANY OTHER QUESTIONS,
5 REPRESENTATIVE RICHARDSON?

6 REPRESENTATIVE RICHARDSON:

7 Q. THIS IS ALL ON THE 22ND, BY THE WAY?

8 A. (MRS. KEDRA) YES.

9 Q. OF DECEMBER?

10 A. YES.

11 Q. YOU WERE HELD, MRS. KEDRA, FOR SOME TIME
12 THERE AT THE STATION. WHEN WERE YOU RELEASED?

13 A. I BELIEVE IT WAS 12:00 OR 12:30, DECEMBER
14 23RD, THE NEXT DAY. I WAS THERE FROM 12:00 O'CLOCK THAT
15 NIGHT. I WAS THERE 13 HOURS, 12 AND A HALF HOURS.

16 Q. NEVER CHARGED WITH ANYTHING?

17 A. NO, NOTHING.

18 Q. NEVER ARRESTED?

19 A. NO.

20 Q. YOU JUST WENT TO INQUIRE?

21 A. YES.

22 YOU SHOULD SEE THE WAY THEY TREATED MY
23 SON-IN-LAW'S FATHER DOWN THERE. HE GOT ILL. THEY SAID TO
24 HIM, 'HEY, MOTHER 'F,' WHAT DO YOU THINK THIS IS, A PICNIC?'
25 BECAUSE HE ASKED TO LEAVE BECAUSE THE MAN WAS SICK.

1 REPRESENTATIVE RICHARDSON: ON THAT POINT, MR.
2 CHAIRMAN, I DON'T HAVE ANY QUESTIONS OF THAT PARTICULAR DAY.

3 CHAIRMAN RHODES: EITHER ONE OF YOU, IS THERE
4 ANY OTHER SUBJECT MATTER YOU WANT TO BRING BEFORE THIS
5 COMMITTEE BEFORE I OPEN THE QUESTIONS UP TO THE FULL
6 COMMITTEE ON EVERYTHING YOU HAVE TESTIFIED TO TONIGHT?

7 MRS. ROZANSKI: YES, I WOULD LIKE TO SAY
8 SOMETHING.

9 IS ANYTHING GOING TO HAPPEN TO US FOR BEING
10 HERE TONIGHT?

11 CHAIRMAN RHODES: AS I SAID, THERE IS NO WAY WE
12 CAN GIVE YOU AN ABSOLUTE GUARANTEE, ESPECIALLY CONSIDERING
13 THE TESTIMONY WE HAVE RECEIVED ALL WEEK ABOUT THE
14 PHILADELPHIA POLICE DEPARTMENT.

15 BUT I GUARANTEE YOU THE HOUSE OF
16 REPRESENTATIVES OF THE COMMONWEALTH OF PENNSYLVANIA WILL TAKE
17 IT EXTREMELY SERIOUSLY IF WITNESSES TESTIFYING UNDER OATH
18 BEFORE A SUBCOMMITTEE OF THE HOUSE ARE HARASSED OR
19 INTIMIDATED AS A RESULT OF TESTIFYING.

20 MRS. ROZANSKI: THE REASON I ASKED, MY HUSBAND
21 JUST GOT OUT OF PRISON A MONTH AGO. HE DID FIVE MONTHS IN
22 PRISON FOR THE MURDER. HE WAS ACQUITTED.

23 THEN A FEW YEARS WENT BY. WE PUT OUR
24 LAWSUIT IN. THEY GAVE HIM CHARGES FROM 1975, WHICH OCCURRED
25 AT THE ROUNDHOUSE. HE WAS CONVICTED FOR BRIBERY. HE WENT TO

1 JAIL FOR SIX MONTHS. AS HE WAS IN JAIL THE FIRST WEEK, I
2 MADE A COUPLE OF PHONE CALLS ON MY OWN TO SEE IF I COULD HAVE
3 SOMETHING DONE. I WAS TOLD IF I DROPPED MY LAWSUIT MY
4 HUSBAND WOULD GET OUT OF PRISON.

5 CHAIRMAN RHODES: WHO TOLD YOU THAT?

6 MRS. ROZANSKI: I CAN'T SAY WHO TOLD ME THAT.

7 REPRESENTATIVE RICHARDSON: COULD YOU SAY TO US
8 IN EXECUTIVE SESSION?

9 MRS. ROZANSKI: IT CAME FROM THE MAYOR'S
10 OFFICE.

11 LIKE I SAY, HE JUST GOT OUT A MONTH AGO.

12 CHAIRMAN RHODES: IT IS VERY IMPORTANT TO US
13 WE KNOW WHO MADE THAT OFFER.

14 REPRESENTATIVE DUMAS: WHY --

15 CHAIRMAN RHODES: WOULD YOU HOLD ON A SECOND.
16 WOULD YOU SUSPEND FOR A MOMENT?

17 (DISCUSSION OFF THE RECORD.)

18 CHAIRMAN RHODES: BACK ON THE RECORD.

19 I WOULD LIKE TO HAVE ORDER. I APPRECIATE
20 YOUR CONSIDERATIONS. IT IS A SMALL ROOM, IT IS HOT AND
21 MUGGY. WE HAVE A LOT MORE WITNESSES TO HEAR TONIGHT.

22 I APPRECIATE YOUR COOPERATION.

23 THANK YOU FOR YOUR STATEMENT. ARE THERE ANY
24 OTHER MATTERS YOU WOULD LIKE TO BRING BEFORE THIS
25 SUBCOMMITTEE, EITHER ONE OF YOU?

1 MRS. KEDRA: NO.

2 MRS. ROZANSKI: NO.

3 CHAIRMAN RHODES: IF NOT, I WILL TURN THE
4 QUESTIONS TO THE MEMBERS OF THE SUBCOMMITTEE. I URGE THEM TO
5 BE BRIEF. WE HAVE OTHER WITNESSES WHO WANT TO COME BEFORE US
6 TONIGHT.

7 REPRESENTATIVE COHEN, BEFORE YOU START, I
8 HAVEN'T ACKNOWLEDGED THE PRESENCE OF REPRESENTATIVE ALJIA
9 DUMAS, MEMBER OF THE SUBCOMMITTEE FROM PHILADELPHIA COUNTY,
10 WHO HAS JOINED THE HEARING.

11 REPRESENTATIVE COHEN, DO YOU HAVE ANY
12 QUESTIONS?

13 REPRESENTATIVE COHEN: YES.

14 REPRESENTATIVE COHEN:

15 Q. DOES EDWARD MCKENNA MEAN ANYTHING TO YOU?

16 A. (MRS. KEDRA) YES.

17 Q. COULD YOU DESCRIBE YOUR RELATION -- COULD
18 YOU DESCRIBE WHAT YOU KNOW ABOUT EDWARD MCKENNA, AND WHAT
19 YOU KNOW ABOUT THIS --

20 A. HE USED TO BE A FRIEND OF MY HUSBAND'S.

21 Q. WHAT HAPPENED TO HIM IN CONNECTION WITH THIS
22 INCIDENT?

23 A. WELL, HE WAS ALSO TAKEN DOWN TO THE
24 ROUNDHOUSE AND BEATEN UP. AND THEY TOLD HIM THAT BECAUSE
25 CHRISTMAS WAS COMING, HE WASN'T GOING HOME TO HIS FAMILY

1 UNTIL HE WROTE A STATEMENT. SO HE WROTE A STATEMENT SAYING
2 THAT MY HUSBAND DID IT.

3 Q. AND THAT WAS THE BASIS FOR THIS CHARGE, THE
4 STATEMENT HE ISSUED UNDER PRESSURE?

5 A. YES.

6 REPRESENTATIVE COHEN: I HAVE NO FUKTHER
7 QUESTIONS.

8 CHAIRMAN RHODES: REPRESENTATIVE DUMAS.

9 REPRESENTATIVE DUMAS: NO QUESTIONS.

10 CHAIRMAN RHODES: REPRESENTATIVE WHITE, DO YOU
11 HAVE ANY FURTHER QUESTIONS?

12 RERESENATIVE WHITE: NO.

13 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

14 REPRESENTATIVE RICHARDSON:

15 Q. BEFORE US, AND I WOULD LIKE TO KNOW WHETHER
16 OR NOT YOU RECOGNIZE THIS PICTURE HERE THAT I AM SHOWING YOU
17 WHICH DOES NOT HAVE A TITLE TO THE NEWSPAPER OTHER THAN THE
18 HEADING, "HOW POLICE HARASSED A FAMILY."

19 COULD YOU TELL US WHETHER OR NOT IN THIS
20 PICTURE THAT THESE ARE THE OFFICERS THAT ENTERED YOUR HOME,
21 MRS. ROZANSKI?

22 MRS. ROZANSKI: YES.

23 REPRESENTATIVE RICHARDSON: THERE IS OTHER
24 EXTENSIVE TESTIMONY IN THIS THAT GOES ON TO DESCRIBE CERTAIN
25 PERSONS WHO DID IN FACT WITNESS AND WERE A PART OF WITNESSES

1 THERE AT THE TIME OF THE INCIDENT ON THE 22ND OF DECEMBER AS
2 WELL AS THE 29TH.

3 MR. CHAIRMAN, I WOULD LIKE TO SUBMIT THIS
4 FOR THE RECORD AS A PART OF THE OVERALL TESTIMONY THAT WE
5 HAVE HEARD HERE TODAY CONCERNING BOTH MRS. ROZANSKI AND MRS.
6 DELORES KEDRA.

7 CHAIRMAN RHODES: I WOULD LIKE TO ENTER AT
8 THIS TIME FOR THE RECORD THIS PHOTOGRAPH AS EXHIBIT A FOR
9 THIS SEGMENT OF OUR TESTIMONY AND THIS REPORT AS EXHIBIT B
10 FOR THIS EVENING'S TESTIMONY. YOU CAN HAVE THESE BACK.

11 (SMALL PHOTO MARKED EXHIBIT A, FOR
12 IDENTIFICATION.)

13 (NEWSPAPER ARTICLE, "HOW POLICE
14 HARRASSED A FAMILY," MARKED EXHIBIT B, FOR IDENTIFICATION.)

15 CHAIRMAN RHODES: LET THE RECORD REFLECT THAT
16 THE REPORT REPRESENTATIVE RICHARDSON REFERRED TO IS A PART
17 OF THE HOMICIDE FILES REPORT, PHILADELPHIA INQUIRER, WRITTEN
18 BY A MR. JONATHAN NEUMANN AND MR. WILLIAM MARIMOW; PART OF A
19 SERIES PUBLISHED APRIL 24TH AND 27TH, 1977.

20 REPRESENTATIVE RICHARDSON: ONAY, THANK YOU.

21 REPRESENTATIVE RICHARDSON:

22 Q. IF YOU HAVE NO WAY OF GETTING IN CONTACT
23 WITH THIS COMMITTEE, JUST TO EMPHASIZE HOW SERIOUS WE ARE
24 ABOUT YOUR TESTIMONY HERE THIS EVENING, WE WOULD --

25 (BRIEF INTERRUPTION.)

1 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON,
2 BACK ON THE RECORD.

3 REPRESENTATIVE RICHARDSON:

4 Q. I WAS TRYING TO SAY EARLIER THAT I THINK YOU
5 SHOULD KNOW THAT YOU SHOULD BE ABLE TO CONTACT THIS COMMITTEE
6 AND THAT REPRESENTATIVE RHODES, WHO IS THE CHAIRMAN OF THIS
7 COMMITTEE, AS WELL AS OTHER MEMBERS OF THIS COMMITTEE ARE
8 WILLING TO GIVE YOU OUR NAMES, OUR PHONE NUMBERS AND
9 ADDRESSES SO THAT YOU CAN CONTACT US IMMEDIATELY UPON ANY
10 PROBLEMS THAT YOU ENCOUNTER.

11 BECAUSE I THINK A LOT OF PEOPLE THINK THAT
12 WE ARE HERE "B.S.'G," AND WE ARE NOT HERE IN THAT VEIN AT
13 ALL. I LIVE IN PHILADELPHIA, OUR CHAIRMAN DOES NOT. I
14 CERTAINLY SHARE WITH YOU THAT, AND I WANT THE RECORD TO
15 REFLECT THAT THIS MATTER WILL NOT GO BY LIGHTLY, AND WE WANT
16 TO KNOW ANY REOCCURRENCES OR ANY HARASSMENTS BECAUSE OF THE
17 FACT YOU CAME TO TESTIFY THIS EVENING.

18 CHAIRMAN RHODES: I SECOND THAT.

19 THANK YOU VERY MUCH, MRS. KEDRA AND MRS.
20 ROZANSKI.

21 (WITNESSES EXCUSED.)

22 CHAIRMAN RHODES: AT THIS TIME WE WOULD LIKE TO
23 CALL OUR NEXT WITNESS, CECILIA REYES.

24 MRS. REYES, PLEASE TAKE THE STAND.

25 DO YOU HAVE IN YOUR POSSESSION, MRS. REYES,

1 A SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE?

2 A. YES, I DO.

3 CHAIRMAN RHODES: OFF THE RECORD.

4 (DISCUSSION OFF THE RECORD.)

5 CHAIRMAN RHODES: BACK ON THE RECORD.

6

7

CECILIA REYES, SWORN.

8

CHAIRMAN RHODES: BEFORE YOU BEGIN TESTIFYING,

9

I WOULD LIKE TO NOTE FOR THE RECORD THE PRESENCE OF AN OLD

10

AND DEAR FRIEND OF MINE, FORMER REPRESENTATIVE PETE PERRY, IN

11

THE BACK OF THE ROOM, WHO SERVED FOR YEARS WITH US IN THE

12

HOUSE OF REPRESENTATIVES. HE IS VITALLY CONCERNED ABOUT

13

THESE MATTER; AND I, FOR ONE, AM GLAD YOU ARE HERE TONIGHT

14

AND I AM GLAD YOU CAME.

15

MRS. REYES, WOULD YOU STATE YOUR NAME AND

16

SPELL YOUR LAST NAME AND GIVE YOUR ADDRESS, FOR THE RECORD.

17

A. CECILIA REYES, R-E-Y-E-S, 12829 MEDFORD

18

ROAD.

19

CHAIRMAN RHODES: MRS. REYES, YOU ARE GOING TO

20

HAVE TO SPEAK UP BECAUSE WE DON'T HAVE A LOUD SPEAKER SYSTEM

21

HERE TONIGHT. NO ONE WILL HEAR YOU IN THE BACK IF YOU DON'T

22

SPEAK LOUDLY.

23

WHY DON'T YOU PROCEED IN YOUR OWN WORDS AND

24

GIVE US THE ACCOUNT.

25

A. OKAY. THE HARASSMENT TO MY FAMILY HAD

1 STARTED AROUND 1971. MY HUSBAND WAS PUERTO RICAN. HE WAS A
2 SELF-EMPLOYED AUTO MECHANIC. HE WORKED BEHIND THE HOUSES
3 BECAUSE THERE WAS GARAGES BEHIND THE HOUSES.

4 WE USED TO HAVE POLICE OFFICERS FROM THE
5 25TH DISTRICT COME AND HARASS HIM, TAKE HIM FOR A RIDE TO THE
6 DISTRICT, KEEP HIM THERE A FEW HOURS, RELEASE HIM, LET HIM
7 GO. AND AS THE YEARS WENT ON, THE HARASSMENT GOT WORSE. IT
8 GOT TO A POINT THEN THEY WOULD LOCK HIM UP, THEN CHARGE HIM
9 WITH RESISTING ARREST, DISORDERLY CONDUCT, THE WHOLE WORKS.

10 THEN IN 1974 IT STARTED GETTING WORSE. AT
11 THIS TIME THEN HE WAS ARRESTED, BEATEN, HANDCUFFED.

12 AND IN 1976, THINGS REALLY GOT BAD. HE WAS
13 BEATEN IN THE STREET, HANDCUFFED HAND AND FOOT WHILE 15 COPS
14 BEAT HIM WITH BLACKJACKS, BUSTED HIS HEAD OPEN; AND THEN HE
15 WAS CHARGED WITH AGGRAVATED ASSAULT, RESISTING ARREST,
16 DISORDERLY CONDUCT, CONSPIRACY, INCITING TO RIOT, RIOTING,
17 RECKLESSLY ENDANGERING THE LIVES OF OTHERS, DESTROYING CITY
18 PROPERTY, CAUSING DAMAGE TO CITY VEHICLES.

19 CHAIRMAN RHODES:

20 Q. WHEN DID THIS OCCUR, MRS. REYES?

21 A. IN 1974.

22 Q. WHAT MONTH?

23 A. DURING THE SUMMER, JULY. HE WAS ARRESTED
24 THREE TIMES DURING THE SUMMER: JUNE 9TH, THE END OF JULY AND
25 THE BEGINNING OF AUGUST, ALL FOR THE SAME KIND OF CHARGES.

1 THE LAST TIME HE WAS ARRESTED WAS THE FIRST WEEK OF AUGUST.

2 Q. WHAT IS YOUR HUSBAND'S NAME?

3 A. JOSE' REYES. WHEN HE WAS RELEASED, THEN
4 THEY HELD HIM IN THE ROUNDHOUSE. HE SPENT FROM LINE, MAYBE
5 6:00 O'CLOCK IN THE EVENING TO MAYBE EARLY HOURS IN THE
6 MORNING, AND THEN THEY SET BAIL SO HIGH THAT WE COULDN'T GET
7 HIM OUT OF JAIL. BAIL WAS SET AT \$20,000.

8 AND THEN IN 1976 HE WAS ARRESTED, CHARGED
9 WITH THE SAME CHARGES AGAIN, AGGRAVATED ASSAULT, RESISTING
10 ARREST; AND THEN WE PAID BAIL AND THEN HE GOT OUT AGAIN.

11 IN THE BEGINNING OF JANUARY HE WAS ARRESTED
12 AGAIN BY A HIGHWAY COP ON LEHIGH AVENUE. THE COP SAID THAT
13 HE WAS TRYING TO FLAG HIM DOWN BUT HE WOULDN'T STOP. SO HE
14 PARKED IN THE GAS STATION TO RETURN THE CAR THAT HE HAD
15 BORROWED. THERE WAS A BIG FIGHT IN THE GAS STATION. HE WAS
16 ARRESTED AGAIN. THE JUDGE SENTENCED HIM TO TWO YEARS AND
17 THEN HE WAS RELEASED.

18 THEN WE BUMPED INTO THE SAME COP AGAIN A FEW
19 MONTHS LATER, THE HIGHWAY COP, IN NOVEMBER OF '76. THE COP
20 PULLED US OVER -- WE PARKED, THE COP PARKED BEHIND US. HE
21 CAME OVER TO US AND TOLD MY HUSBAND TO GET OUT OF THE CAR.
22 HE SAID, 'I AM NOT GETTING OUT.' HE SAID, 'GET OUT.' I GOT
23 OUT OF THE CAR AND I ASKED HIM WHAT WAS WRONG. HE SAYS, 'HOW
24 DID HE GET OUT?' I SAID, 'HE SERVED HIS TIME, LET HIM ALONE
25 NOW.' HE SAYS, 'NO, TELL THAT 'M.F.--'ER' THAT IF I CATCH HIM

1 DRIVING AGAIN, I AM GOING TO SHOOT HIM."

2 Q. WHAT IS THIS OFFICER'S NAME?

3 A. I DON'T REMEMBER. HE IS A HIGHWAY COP.

4 AND THEN IN THE SAME YEAR, MAYBE AROUND TWO
5 MONTHS LATER, HE WAS BEATEN AGAIN. I WAS IN THE HOUSE AT
6 THIS TIME. THE GIRL NEXT DOOR WAS STANDING ON THE PAVEMENT.
7 SHE YELLED IN TO ME, 'THEY ARE BEATING JOSE' AGAIN.' WHEN I
8 WENT TO THE DOOR, BY THAT TIME HE WAS UP ON THE PAVEMENT.
9 THERE WAS A BIG FIGHT ON THE PAVEMENT. THERE WAS MAYBE 15,
10 20 COPS AT THE TIME THERE.

11 AT THAT TIME I WAS FIVE MONTH'S PREGNANT
12 WITH THIS CHILD HERE. I WAS JUST STANDING ON THE SIEP
13 BECAUSE THEY WERE FIGHTING RIGHT DOWN ON THE PAVEMENT. ALL
14 THE COPS WERE ON TOP OF HIM, WITH BLACKJACKS, BEATING HIM.

15 THE COP LOOKED UP AND TOLD THE SERGEANT,
16 'AND YOU CAN ARREST THAT 'M.F.--'ER'S' WIFE TOO.' I WAS JUST
17 STANDING THERE.

18 THEY ARRESTED ME AT 2:00 O'CLOCK IN THE
19 AFTERNOON, WE WERE BOTH ARRESTED.

20 I HAD MY TWO OTHER SONS IN THE HOME AT THE
21 TIME, AND THEY KNEW IT BECAUSE MY SONS WERE STANDING AT THE
22 DOORWAY, SCREAMING. THEY ARRESTED ME AND ARRESTED MY
23 HUSBAND. MY NEIGHBOR TOOK MY SONS.

24 THEY WENT TO THE SCHOOL AND REMOVED MY TWO
25 OTHER DAUGHTERS FROM THE SCHOOL, TOOK MY CHILDREN OUT OF

1 SCHOOL, TOOK MY CHILDREN BACK TO THE HOUSE, AND MY OLDER
2 DAUGHTER THEN WAS EIGHT YEARS OLD. SHE TOLD ME THAT OFFICER
3 MARTINEZ -- WE KNOW HIM BY 'GINO' IN THE NEIGHBORHOOD -- SHE
4 TOLD ME THAT GINO CAME BACK TO THE HOUSE WITH HER, WITH A
5 WOMAN COP, AND SEARCHED THE HOUSE.

6 WE WERE ARRESTED AROUND 2:00 O'CLOCK IN THE
7 AFTERNOON AND SPENT FROM 2:00 O'CLOCK THAT AFTERNOON UNTIL
8 5:00 O'CLOCK THAT MORNING, IN THE ROUNDHOUSE BEFORE WE WERE
9 BROUGHT UP.

10 I WAS CHARGED WITH RESISTING ARREST,
11 AGGRAVATED ASSAULT ON AN OFFICER.

12 MY PARENTS HAD TO BAIL ME OUT, THEY SET
13 BAIL.

14 AND THEN MONTHS LATER OF '77, IT WAS IN
15 APRIL, I HAD GONE OUT, MY HUSBAND HAD GONE OUT. WHEN I CAME
16 HOME, MY NEIGHBOR TOLD ME, SHE SAYS, 'JOSE' GOT ARRESTED.' I
17 TOLD HER, 'FOR WHAT?' SHE SAID, 'I DON'T KNOW. HE WAS
18 RUNNING DOWN THE STREET, AND THE COP WAS RUNNING BEHIND HIM.'
19 SHE SAID JOSE' WENT THROUGH THE BACK OF THE HOUSE.

20 THE COP KNOCKED ON HER DOOR, HE TOLD HER,
21 'CAN I COME INTO YOUR HOUSE, I AM CHASING A DRUG ADDICT.'
22 AND THE WOMAN WAS SCARED, SHE LET THE COP IN. AND WHEN HE
23 GOT TO HER DINING ROOM, HE TOLD HER, 'THAT IS WHERE JOSE'
24 REYES LIVES, NEXT DOOR?' SHE SAY, 'YES, BUT HE DON'T USE
25 DRUGS AND NOTHING.' HE SAID, 'THAT'S OKAY, BECAUSE THAT'S

1 THE 'M.F.--'ER' I'M AFTER ANYWAY.

2 HE WENT INTO HER HOUSE, THROUGH THE BACK OF
3 MY HOUSE AND FIRED SHOTS INTO THE BACK OF MY HOUSE AND BROKE
4 MY WINDOWS.

5 WHEN THEY ARRESTED MY HUSBAND, THEY GRABBED
6 HIM BY THE BEARD AND PULLED HIM OUT OF THE HOUSE AND ARRESTED
7 HIM AND CHARGED HIM WITH BURGLARY, THAT HAPPENED THREE DAYS
8 BEFORE. WHEN THE WOMAN WENT TO THE DISTRICT, THE 25TH, AND
9 SAID MY HUSBAND WAS NOT THE ONE WHO ROBBED HER HOUSE, INSTEAD
10 OF JUST APOLOGIZING LIKE THEY SHOULD HAVE, THEY CHARGED HIM
11 WITH RESISTING ARREST, DISORDERLY CONDUCT, AGGRAVATED ASSAULT
12 ON AN OFFICER.

13 I REPORTED IT TO THE COMMISSION ON HUMAN
14 RELATIONS. NOTHING WAS DONE ABOUT IT. I WENT TO THE
15 DISTRICT. CAPTAIN KELLY WAS AWARE OF WHAT WAS HAPPENING TO
16 MY HUSBAND, BECAUSE IT WAS GOING ON TIME AND TIME AGAIN.

17 AND THEN ON JULY 2ND, MY HUSBAND WAS SHOT TO
18 DEATH IN THE DOORWAY BY OFFICER GERALD SALERNO, WHO AS OF YET
19 HAS NOT BEEN BROUGHT TO TRIAL. HE IS NOW A SERGEANT WORKING
20 IN THE ROUNDHOUSE.

21 Q. TELL US -- I KNOW IT IS DIFFICULT -- SAY
22 THAT AGAIN. TELL US WHAT HAPPENED, HOW YOUR HUSBAND WAS SHOT
23 TO DEATH?

24 A. WELL I WASN'T HOME, I DON'T REALLY KNOW
25 EXACTLY WHAT WENT DOWN. BUT AS FAR AS I UNDERSTOOD, THE COP

1 CAME TO THE STREET, THEY SAID THEY GOT A CALL --

2 REPRESENTATIVE HUTCHINSON: WERE THERE ANY
3 WITNESSES?

4 A. YES, WE HAD QUITE A FEW WITNESSES.

5 CHAIRMAN RHODES:

6 Q. WHAT WAS THE DATE?

7 A. JULY 2ND OF '77. THEY SAID THEY GOT A CALL
8 TO COME TO THE HOUSE, THERE WAS A DISTURBANCE IN THE HOUSE.
9 THERE WAS NO ONE IN THE HOUSE BUT MY HUSBAND BECAUSE I HAD
10 MY CHILDREN WITH ME. WE WERE OUT OF THE HOME.

11 I HAD JUST LEFT THE HOUSE MAYBE 20 MINUTES
12 EARLIER. AND MY CAR BROKE A FEW BLOCKS AWAY, SO I WASN'T FAR
13 FROM THE HOUSE.

14 WHEN I HEARD ALL THE SIRENS AND ALL, I WENT
15 BACK TO THE HOUSE. WHEN I WENT BACK TO THE HOUSE, IT WAS NO
16 MORE THAN 20 MINUTES, THEY HAD HOMICIDE DETECTIVES TO MY
17 HOUSE. THEY HAD THE CRIME LAB THERE AND THE PADDY WAGON IN
18 WHICH SALERNO WAS DRIVING WAS RIGHT IN FRONT OF MY DOOR WITH
19 A BULLET HOLE RIGHT THROUGH THE WINDSHIELD.

20 THE GIRL NEXT DOOR GOT SHOT IN THE SHOULDER
21 AT THAT TIME, AND THEY SAID THEY DON'T KNOW HOW SHE GOT SHOT,
22 BUT SHE WAS SHOT FROM THE SAME COP.

23 AND AS OF NOW, FROM WHAT I UNDERSTAND, THEY
24 REFUSED TO GO TO COURT. NO ONE WANTS TO TESTIFY IN THE
25 POLICE DEPARTMENT TO WHAT HAPPENED THAT DAY. IT IS UNDER,

1 THEY TELL ME, UNDER INVESTIGATION WITH THE F.B.I. AND THE
2 JUSTICE DEPARTMENT AND THE DISTRICT ATTORNEY'S OFFICE. BUT
3 IT HAS BEEN 13 MONTHS. NOBODY HAS BEEN IN COURT AT ALL.

4 HE HAS GOT A PROMOTION. I MEAN THAT IS NOT
5 FAIR. I HAVE GOT SIX CHILDREN WITHOUT A FATHER NOW.

6 I GET HARASSED CONSTANLY. I GET PULLED
7 OVER FOR STUPID THINGS. THEY DON'T WRITE ME TICKETS, YOU
8 KNOW, IT'S JUST A LITTLE NUMBER --

9 Q. YOU MEAN THE HARASSMENT SINCE YOUR HUSBAND'S
10 KILLING HAS CONTINUED?

11 A. WITH ME. I DON'T GET AKRESTED AND I DON'T
12 GET TICKETS. I JUST GET STOPPED AND PULLED OVER, YOU KNOW.
13 THEY SAY, 'OH, IT'S YOU, GO AHEAD.'

14 THEY KNOW MY CAR, AND I KNOW THE PARTICULAR
15 COP, BECAUSE IN FEBRUARY OF THIS YEAR MY CAR WAS STOLEN.
16 WHEN I CALLED FOR THE POLICE TO COME OUT, TO REPORT THE CAR
17 STOLEN, THE COP TOLD ME MY CAR WASN'T STOLEN, AND REFUSED TO
18 WRITE A REPORT UP. I HAD TO GO TO THE DISTRICT TO WRITE A
19 REPORT UP.

20 CHAIRMAN RHODES: BEFORE I GO ON, I WOULD LIKE
21 TO ACKNOWLEDGE FOR THE RECORD THE PRESENCE OF REPRESENTATIVE
22 WILLIAM HUTCHINSON OF SCHUYLKILL COUNTY WHO WOULD LIKE TO ASK
23 A QUESTION.

24 REPRESENTATIVE HUTCHINSON:

25 Q. WERE THERE ANY OTHER WITNESSES, OTHER THAN

1 POLICE OFFICERS, TO YOUR HUSBAND'S SHOOTING?

2 A. YES, THERE WERE, QUITE A FEW. WE HAD AT
3 LEAST MAYBE 20 WITNESSES THAT WERE THERE AT THE TIME OF THE
4 SHOOTING, THAT WERE THERE BEFORE, DURING AND AFTER THE
5 SHOOTING.

6 Q. HAVE YOU FURNISHED THE NAMES OF THOSE
7 WITNESSES TO --

8 A. YES, WE HAVE. THEY HAVE BEEN DOWN. THEY
9 TOOK LIE DETECTOR TESTS. THEY HAVE MADE SWORN STATEMENTS TO
10 THE F.B.I., TO THE ATTORNEY WHO HANDLED THE CASE AND STILL --

11 Q. WOULD YOU FURNISH THE NAMES OF THOSE TO THIS
12 COMMITTEE? HAVE YOU AND IF YOU HAVE NOT, WILL YOU FURNISH
13 THE NAMES OF THOSE WITNESSES TO THIS COMMITTEE?

14 A. WE HAVE FURNISHED THE NAMES ALREADY TO THE
15 F.B.I., TO THE HOUSE OF REPRESENTATIVES AND TO THE JUSTICE
16 DEPARTMENT WHO WERE OUT INVESTIGATING THE CASE.

17 REPRESENTATIVE HUTCHINSON: THANK YOU.

18 CHAIRMAN RHODES: ANY FURTHER QUESTIONS,

19 REPRESENTATIVE HUTCHINSON?

20 REPRESENTATIVE HUTCHINSON: NO.

21 CHAIRMAN RHODES:

22 Q. NOW, THE HARASSMENT SINCE YOUR HUSBAND'S
23 DEATH HAS BEEN POLICE OFFICERS BASICALLY STOPPING YOU ON THE
24 ROAD?

25 A. YES.

1 Q. DO YOU FEAR FOR YOUR LIFE WHEN THE POLICE
2 STOP YOU?

3 A. WELL, I AM NOT SCARED OF THEM, YOU KNOW WHAT
4 I MEAN, YOU SEE, BECAUSE THIS HAS BEEN HAPPENING SO MUCH, YOU
5 KNOW WHAT I MEAN, YOU JUST KIND OF GET USED TO IT.

6 THINGS GOT TO A POINT IN MY HOME, BECAUSE OF
7 THE HARASSMENT, WHERE MY HUSBAND TOOK THE LOCKS OFF THE
8 FRONT DOOR BECAUSE THE COPS WERE CHASING HIM SO MUCH. HE WAS
9 SCARED IF THEY WERE CHASING HIM HE COULDN'T GET IN THE HOUSE
10 FAST ENOUGH. IT WAS LIKE MY HUSBAND WAS LIKE LIVING IN
11 PRISON INSIDE HIS OWN HOME.

12 IF HE LEFT THE HOUSE, WALKED TO THE CORNER,
13 HE GOT ARRESTED ON THE CORNER FOR NO REASON AT ALL, JUST
14 PASSING THE CORNER. I DON'T MEAN CORNER LOUNGING.

15 Q. WHY WERE THE POLICE AFTER YOUR HUSBAND?

16 A. I REALLY DON'T KNOW. THEY JUST DIDN'T LIKE
17 HIM, BECAUSE FIRST OF ALL, MY HUSBAND WOULD NOT BEND TO THEM.
18 HE WASN'T ABOUT TO, YOU KNOW, PLAY FLUNKY WITH THEM.

19 LIKE THEY WANTED TO KNOW WHERE ALL THE HOT
20 CARS IN THE NEIGHBORHOOD WAS COMING FROM. LIKE HE TOLD THEM
21 HE DON'T KNOW, AND IF HE KNEW HE WOULDN'T TELL THEM. THAT IS
22 WHERE I THINK ALL THE PROBLEMS STARTED FROM THE BEGINNING,
23 BECAUSE I TOLD YOU HE WAS A SELF-EMPLOYED AUTO MECHANIC, FROM
24 A FEW BLOCKS FROM WHERE HE HAD GOTTEN KILLED.

25 Q. ANYTHING ELSE YOU WOULD LIKE TO TELL US,

1 MRS. REYES?

2 A. NOT REALLY.

3 CHAIRMAN RHODES: THANK YOU VERY MUCH FOR
4 COMING BEFORE US.

5 QUESTIONS OF THE COMMITTEE, REPRESENTATIVE
6 RICHARDSON.

7 REPRESENTATIVE RICHARDSON:

8 Q. I AM SORRY, COULD I GET THE NAME OF THE
9 WITNESS?

10 CHAIRMAN RHODES: MRS. REYES.

11 REPRESENTATIVE HUTCHINSON: I WOULD LIKE TO
12 PURSUE THAT QUESTION.

13 CHAIRMAN RHODES: REPRESENTATIVE HUTCHINSON.

14 REPRESENTATIVE HUTCHINSON:

15 Q. DID YOU SAY YOU TURNED THE NAMES OF THE
16 WITNESSES OVER TO THE HOUSE OF REPRESENTATIVES?

17 A. AND TO THE JUSTICE DEPARTMENT AND TO THE
18 F.B.I.

19 REPRESENTATIVE HUTCHINSON: DO WE HAVE THE
20 NAMES?

21 CHAIRMAN RHODES: NOT IN THE HOUSE OF
22 REPRESENTATIVES.

23 A. THEY SAID THAT'S WHO THEY WERE WHEN THEY
24 WERE OUT TO THE HOUSE LAST YEAR AND THERE WAS ANOTHER FELLOW
25 FROM THE JUSTICE DEPARTMENT.

1 I COULD GIVE YOU THE NAME OF MY LAWYER.

2 REPRESENTATIVE HUTCHINSON: JUST SO WE'RE SURE,
3 BECAUSE THERE MAY BE SOME CONFUSION, WOULD YOU MIND
4 FURNISHING THE NAMES OF THOSE WITNESSES AND THEIR ADDRESSES
5 TO THIS SUBCOMMITTEE?

6 A. I CAN GIVE YOU THE NAME OF MY LAWYER AND HE
7 COULD GIVE THEM TO YOU BECAUSE I DON'T HAVE ALL --

8 CHAIRMAN RHODES: GIVE US THE NAME OF YOUR
9 LAWYER.

10 A. THAT I CAN DO.

11 REPRESENTATIVE HUTCHINSON:

12 Q. WHO IS YOUR LAWYER?

13 A. PAUL DRUCKER.

14 Q. WHERE IS HIS OFFICE? WHERE MR. DRUCKER'S
15 OFFICE LOCATED?

16 A. I AM GETTING IT FOR YOU.

17 Q. THANK YOU.

18 A. IT SAYS SUITE 515, 3 PENN CENTER PLAZA,
19 PHILADELPHIA.

20 CHAIRMAN RHODES: IS THERE A PHONE NUMBER?

21 A. YES, IT IS. IT IS 564-3075.

22 REPRESENTATIVE RICHARDSON: 564-3075.

23 REPRESENTATIVE HUTCHINSON: THANK YOU.

24 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON, DO
25 YOU HAVE A QUESTION?

1 REPRESENTATIVE RICHARDSON: YES.

2 REPRESENTATIVE RICHARDSON:

3 Q. WHAT PART OF THE CITY DO YOU LIVE IN?

4 A. DO I LIVE IN OR WAS I LIVING IN AT THE TIME?

5 Q. AT THE TIME.

6 A. AT THE TIME, NORTH PHILLY.

7 Q. DID WE ESTABLISH FOR THE RECORD ALREADY --
8 WAS YOUR HUSBAND A SPANISH SPEAKING --

9 A. YES, HE WAS.

10 CHAIRMAN RHODES: YES, SHE HAS ESTABLISHED
11 THAT.

12 REPRESENTATIVE RICHARDSON:

13 Q. YOU LIVE OUT OF THE CITY NOW, I ASSUME?

14 A. WELL, FAR FROM WHERE I WAS LIVING; UP IN THE
15 FAR NORTHEAST.

16 Q. HAVE YOU BEEN, YOUR FAMILY, THAT IS,
17 HARASSED OR INTIMIDATED SINCE THIS INCIDENT HAS OCCURRED?

18 A. WELL, MY DAUGHTER SAYS WHEN SHE STAYS WITH
19 MY GIRLFRIEND, THE OFFICER -- I DON'T KNOW HIM BY NAME, BUT
20 MY DAUGHTER KNOWS HIM, SHE SAYS HE DRIVES 2502 -- WHEN SHE'S
21 DOWN THERE, HE FOLLOWS HER.

22 Q. HOW OLD IS YOUR DAUGHTER?

23 A. TEN YEARS OLD.

24 Q. HAVE YOU FILED THAT COMPLAINT?

25 A. NO, I HAVEN'T BECAUSE I DON'T REALLY KNOW

1 WHERE TO FILE IT. YOU CAN'T GO TO THE POLICE STATION AND
2 MAKE A COMPLAINT AGAINST THE COP BECAUSE THEY DON'T WANT TO
3 HEAR IT, YOU KNOW.

4 CAPTAIN KELLY HAS NO CONTROL OVER THE THE
5 25TH DISTRICT. HE REALLY DOESN'T HAVE ANYTHING TO SAY. HE
6 PROBABLY, YOU KNOW -- I KNOW, BECAUSE I HAVE BEEN THERE
7 COMPLAINING. YES, HE WILL GIVE THE COP, YOU KNOW, ORDERS IN
8 FRONT OF YOU, 'OH, LEAVE THIS PERSON ALONE,' AND THIS AND
9 THAT. AND AS SOON AS YOU WALK OUT OF THE DOOR, IT DOESN'T
10 MEAN ANYTHING.

11 BECAUSE THAT IS WHY MY HUSBAND IS DEAD NOW,
12 BECAUSE THEY FIRED SHOTS AT HIM TWO MONTHS BEFORE THEY
13 FINALLY KILLED HIM, AND THE COMMISSION ON HUMAN RELATIONS WAS
14 NOTIFIED OF THE SHOOTING IN MY HOUSE. CAPTAIN KELLY WAS
15 NOTIFIED OF THE SHOOTING, AND NOTHING WAS DONE TO THE COPS
16 WHO FIRED THE SHOTS INTO MY HOUSE.

17 Q. DID THEY HAVE A WARRANT OUT FOR YOUR
18 HUSBAND'S ARREST?

19 A. NEVER. MY HUSBAND HAS NEVER BEEN WANTED FOR
20 ANY CRIME.

21 THE ONLY POLICE RECORD MY HUSBAND HAS IS THE
22 ONE THE POLICE DEPARTMENT MADE ON HIM, AGGRAVATED ASSAULT,
23 RESISTING ARREST, DISORDERLY CONDUCT. HE HAS COMMITTED NO
24 CRIMES THAT HE COMMITTED HIMSELF.

25 Q. THE CHARGES THAT WERE PUT ON YOUR HUSBAND,

1 WHEN WERE THEY PLACED ON YOUR HUSBAND?

2 A. WHICH CHARGES?

3 Q. THE CHARGES YOU JUST ENUMERATED.

4 A. THEY WERE ALWAYS PLACED ON HIM EVERY TIME HE
5 GETS ARRESTED. WHEN HE WAS ARRESTED IN '75 THEY PLACED A
6 \$20,000 BAIL ON HIM. HE WAS ARRESTED FOR AGGRAVATED ASSAULT,
7 RESISTING ARREST, CONSPIRACY, INCITING TO RIOT, RECKLESSLY
8 ENDANGERING THE LIVES OF OTHERS, DESTROYING CITY PROPERTY,
9 CAUSING DAMAGE TO A CITY VEHICLE, THE WHOLE WORKS.

10 Q. WAS YOUR HUSBAND EVER CONVICTED OF ANYTHING?
11 MAYBE THAT WAS THE QUESTION I SHOULD HAVE ASKED.

12 A. ONE, FOR AGGRAVATED ASSAULT ON AN OFFICER.
13 REPRESENTATIVE HUTCHINSON:

14 Q. WHEN WAS THAT?

15 A. IN '75.

16 Q. WHEN WAS THE FIRST TIME YOUR HUSBAND WAS
17 EVER ARRESTED?

18 A. IN '71.

19 REPRESENTATIVE RICHARDSON:

20 Q. AND AS A RESULT OF THE CONVICTION, DID HE
21 SERVE TIME?

22 A. THREE MONTHS.

23 Q. MRS. REYES, WE ARE CONCERNED ABOUT MAKING
24 SURE THAT THE RECORD IS STRAIGHT, AND WE ARE REALLY TRYING TO
25 GET TO THE MEAT OF THAT. MY QUESTION IS DIRECTED TO ANYTHING

1 THAT YOU KNOW THAT YOU FEEL LED UP TO THE DEATH OF YOUR
2 HUSBAND SPECIFICALLY, WITHOUT GENERALIZATIONS.

3 A. OKAY. WELL, I THINK IT WAS PROBABLY BECAUSE
4 WHEN MY HUSBAND WAS ARRESTED HE WOULDN'T ANSWER THE COPS, AND
5 THEY JUST DIDN'T LIKE IT. HE WOULDN'T ANSWER THEM, AND THAT
6 THEY MUST HAVE FELT THAT HE HAD SOME DEALINGS WITH THE DRUGS
7 THAT WERE GOING ON IN THE NEIGHBORHOOD BECAUSE HE KNEW
8 EVERYBODY IN THE NEIGHBORHOOD, YOU KNOW. BUT MY HUSBAND
9 NEVER SMOKE, NEVER DRANK, NEVER DEALT WITH ANY KIND OF DRUGS
10 WHATSOEVER.

11 AND I THINK THE PROBLEM WAS THE CAR THAT MY
12 HUSBAND OWNED.

13 Q. WAS HE BUSTED FOR DRUGS AT ALL?

14 A. NEVER. LIKE I AM TELLING YOU, HE NEVER HAD
15 ANY KIND OF INVOLVEMENT WITH ANY KIND OF DRUGS, WITH ANY KIND
16 OF LIQUOR, ANY KIND OF NOTHING WHATSOEVER.

17 REPRESENTATIVE COHEN: WHAT KIND OF CAR DID HE
18 OWN?

19 A. A '55 CHEVY, BUT IT WAS ALL SOUPED UP. AND
20 I GUESS MAYBE BECAUSE THERE WAS SO MUCH DRUGS IN THE
21 NEIGHBORHOOD, THEY WAS THINKING HE HAD SOME KIND OF DEALINGS
22 IN WITH IT IN ORDER TO SUPPORT THAT PARTICULAR CAR BECAUSE HE
23 HAD INVESTED SO MUCH MONEY RESTORING IT.

24 REPRESENTATIVE RICHARDSON:

25 Q. DID YOU RECEIVE A DEATH CERTIFICATE?

1 A. YES. ON THE DEATH CERTIFICATE IT STATED,
2 'OFFICIAL CAUSE OF DEATH, PENDING.'

3 Q. PENDING?

4 A. PENDING. AND IT HAS BEEN 13 MONTHS.

5 Q. DID YOU ASK FOR A MEDICAL EXAMINER'S REPORT
6 CONCERNING YOUR HUSBAND'S DEATH?

7 A. NEVER.

8 Q. AS A RESULT OF THE WORD WHERE IT SAYS
9 'PENDING' ON HIS DEATH CERTIFICATE, ARE YOU ABLE TO COLLECT
10 SOCIAL SECURITY?

11 A. YES, BUT I GET A HARD TIME FROM THEM.

12 Q. BECAUSE THERE IS NO OFFICIAL CAUSE OF DEATH?

13 A. RIGHT. IT SAYS, 'OFFICIAL CAUSE OF DEATH
14 PENDING.'

15 AND THEN WHERE IT SAYS, 'PLACE OF DEATH,
16 UNKNOWN,' THEY SHOT HIM IN THE DOORWAY OF THE HOUSE. HOW
17 COULD THEY PUT UNKNOWN?

18 Q. WERE YOU HOME?

19 A. NO, I WASN'T. I WAS A FEW BLOCKS AWAY AT
20 THE TIME. BUT WHEN I GOT HOME, MY HUSBAND'S BODY WAS STILL
21 LYING RIGHT THERE IN THE DOORWAY OF THE HOUSE WHERE THEY HAD
22 SHOT HIM.

23 Q. DO YOU KNOW HOW LONG HIS BODY LAID THERE?

24 A. WELL, I KNOW WHEN I GOT THERE, HIS BODY WAS
25 STILL THERE, AND I LEFT THE HOUSE MAYBE 20 TO 25 MINUTES

1 BEFORE THAT HAD HAPPENED. AND WHEN I CAME BACK HIS BODY WAS
2 THERE.

3 AND BEFORE THEY REMOVED HIS BODY IT WAS A
4 GOOD, MAYBE, HOUR AND A HALF OR MORE AFTER I CAME HOME.

5 Q. WAS IT EVER DETERMINED WHETHER HE WAS KILLED
6 INSTANTLY OR NOT?

7 A. NO, NOT THAT I KNOW OF.

8 REPRESENTATIVE RICHARDSON: MR. CHAIRMAN, I WAS
9 JUST TRYING TO CLARIFY THE RECORD. THAT IS WHY SOME OF THOSE
10 POINTS WERE POINTED OUT.

11 CHAIRMAN RHODES: I APPRECIATE THAT,
12 REPRESENTATIVE RICHARDSON. I THINK IT IS IMPORTANT FOR THE
13 RECORD.

14 REPRESENTATIVE HUTCHINSON -- BEFORE WE GO
15 ON, WE WOULD LIKE TO ACKNOWLEDGE THE PRESENCE OF
16 REPRESENTATIVE HARDY WILLIAMS, A MEMBER OF THE SUBCOMMITTEE
17 FROM PHILADELPHIA COUNTY.

18 REPRESENTATIVE HUTCHINSON, EXCUSE ME.

19 (DISCUSSION OFF THE RECORD.)

20 CHAIRMAN RHODES: BACK ON THE RECORD.

21 THANK YOU VERY MUCH, MRS. REYES, FOR BEING
22 WITH US TONIGHT. WE APPRECIATE YOUR COMING FORWARD.

23 (WITNESS EXCUSED)

24 CHAIRMAN RHODES: WE ARE GOING TO HAVE A
25 TWO-MINUTE BREAK, AND THEN THE NEXT WITNESS WILL BE MILTON

1 STREET.

2 (BRIEF RECESS.)

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1 CHAIRMAN RHODES: THE RECESS IS DECLARED OVER.
2 THE NEXT WITNESS, CONTRARY TO WHAT I PREVIOUSLY ANNOUNCED,
3 WILL BE ANTON CHAITKIN.

4 MR. CHAITKIN, DO YOU HAVE A SUBPOENA IN YOUR
5 POSSESSION TO APPEAR BEFORE THE SUBCOMMITTEE.

6 MR. CHAITKIN: YES, I HAVE ONE FOR TODAY AND
7 ONE FOR YESTERDAY.

8 CHAIRMAN RHODES: RAISE YOUR RIGHT HAND.

9 ---

10 ANTON CHAITKIN, SWORN.

11 CHAIRMAN RHODES:

12 Q. STATE YOUR FULL NAME AND SPELL YOUR LAST
13 NAME AND GIVE YOUR ADDRESS FOR THE RECORD.

14 A. ANTON CHAITKIN, C-H-A-I-T-K-I-N.

15 Q. YOUR ADDRESS?

16 A. 1715 WALNUT STREET.

17 Q. I GATHER YOU HAVE A STATEMENT YOU WOULD LIKE
18 TO READ TO THE COMMITTEE?

19 A. I HAVE A SHORT STATEMENT THAT I WOULD LIKE
20 TO MAKE, AND I HAVE PROVIDED TO THE COMMITTEE A COPY OF A
21 PREPARED BRIEF WHICH PRESENTS THE MATERIAL THAT I WANT TO
22 TALK ABOUT IN MORE LENGTHY FORM.

23 FOR THE LAST 14 MONTHS I HAVE PERSONALLY
24 CONDUCTED AN INVESTIGATION OF THE CAMPAIGN WHICH HAS TAKEN
25 PLACE IN PHILADELPHIA OVER THE LAST COUPLE OF YEARS WITH

1 RESPECT TO POLICE BRUTALITY. I HAVE INTERVIEWED RADICAL
2 ORGANIZATIONS, MODERATE ORGANIZATIONS, POLICEMEN, BANKERS, A
3 FEW PEOPLE THAT HAVE BEEN INVOLVED AS LAWYERS AND SO FORTH IN
4 THIS POLICE BRUTALITY ISSUE.

5 THE POLICE BRUTALITY CAMPAIGN IN
6 PHILADELPHIA WAS INITIATED BY A GROUP OF VERY WELL-FINANCED
7 ORGANIZATIONS THAT HAVE BEEN ORCHESTRATED AND FINANCED BY THE
8 PHILADELPHIA FOUNDATION. THE PHILADELPHIA FOUNDATION IS THE
9 PROPERTY OF THE EIGHT MAJOR COMMERCIAL BANKS IN THE CITY OF
10 PHILADELPHIA. SEVERAL HUNDRED THOUSAND DOLLARS HAVE BEEN
11 PAID TO P.I.L.C.O.P., PHILADELPHIANS FOR EQUAL JUSTICE,
12 AMERICAN CIVIL LIBERTIES UNION, THE FRIENDS, THROUGH ABOUT
13 16 DIFFERENT FRONT ORGANIZATIONS. PHILADELPHIANS FOR EQUAL
14 JUSTICE WHICH CONSISTS OF ONE PERSON,

15 HUNDREDS AND HUNDREDS OF THOUSANDS OF
16 DOLLARS HAVE BEEN PAID BY THE PHILADELPHIA FOUNDATION
17 PRIMARILY THROUGH THE ACTIVITIES OF JOHN BUNTING AND HIS
18 ASSOCIATES. JOHN BUNTING PERSONALLY HAS MADE AN ABOUT-FACE
19 IN THE LAST FOUR MONTHS. THIS FOUNDATION HAS PAID THE MONEY
20 TO ORGANIZE A CAMPAIGN TO DISCREDIT THE PHILADELPHIA POLICE
21 DEPARTMENT, NOT FOR THE PURPOSE OF PREVENTING POLICE
22 BRUTALITY BUT FOR THE PURPOSE OF CREATING RACIAL ANTAGONISMS,
23 FOR THE PURPOSE OF CREATING FEAR.

24 EVERY WITNESS I HEARD THAT HAD SERIOUS
25 TESTIMONY TESTIFIED TO THE FACT THAT THE PEOPLE ARE SCARED;

1 AND THE POLICE ARE SCARED AND THIS IS WHAT THE PHILADELPHIA
2 FOUNDATION, THE INSTITUTE FOR POLICY STUDIES AND THE
3 FOUNDATION EXECUTIVES WHO HAVE BEEN POURING MONEY IN TO FAN
4 THE FLAMES OF HATRED BETWEEN BLACK AND WHITE AND BETWEEN
5 POLICE AND CITIZENRY IN THIS CITY. ORIGINALLY, THEY HAD THE
6 INTENTION ALSO OF BREAKING RIZZO'S ADMINISTRATION IN THE SAME
7 WAY THAT THE SAME CIRCLES BROKE THE ADMINISTRATION IN NEW YORK
8 CITY AND SET UP AN AUSTERITY REGIME.

9 I HAVE GOT HERE A LIST OF PAYMENTS, FOR
10 EXAMPLE TO THE SO-CALLED PHILADELPHIANS FOR EQUAL JUSTICE,
11 THEIR SPOKESMAN, BILL JAMESON SAID TO ME THAT WILLIAM
12 MARINOW, AND MR. NEUMANN, AND ALSO CHUCK STONE, THREE
13 COLUMNISTS VERY FAMOUS FOR THEIR ACTIVITIES IN REGARD TO
14 ALLEGED POLICE BRUTALITY, ALL GOT THEIR KICK-OFF STORIES FROM
15 HIM. HE HAS BEEN PAID FOR TEN YEARS TO DEVELOP THESE STORIES
16 BY THE PHILADELPHIA FOUNDATION USING TAX EXEMPT MONEY TO COOK
17 UP A CAMPAIGN RE VIOLENCE IN THIS CITY.

18 IF YOU GO TO 1427 WALNUT STREET AS OF ABOUT
19 FOUR MONTHS AGO YOU WOULD FIND THE PHILADELPHIANS FOR EQUAL
20 JUSTICE, THE AMERICAN CIVIL LIBERTIES UNION, THE NATIONAL
21 LAWYERS GUILD AND THE NATIONAL EMERGENCY CIVIL LIBERTIES
22 COMMITTEE AND THE PEOPLE FUND. ALL OF THESE ORGANIZATIONS
23 CONSISTING OF THE SAME PEOPLE WHO INTERMINGLE IN THE SAME
24 OFFICE, ALL OF THEM RECEIVING SEPARATELY TENS UPON TENS OF
25 THOUSANDS OF DOLLARS TO COOK UP STORY LINES FOR THE INQUIRER

1 AND ALSO FOR THE BULLETIN, WHICH IS NOT LILY-PURE IN THIS
2 WHOLE BUSINESS.

3 NOW THIS IS GOING TO BREAK. WE HAD TAKEN
4 THIS TO THE UNITED STATES ATTORNEY'S OFFICE WHEN MARSTON WAS
5 THE U.S. ATTORNEY. WE TOOK THIS ALSO TO THE INTERNAL REVENUE
6 SERVICE BECAUSE THEIR TAX EXEMPTION HAS GOT TO BE TAKEN OUT.
7 THEY ARE TRYING TO CREATE RACE RIOTS IN THE CITY, THEY ARE
8 NOT INTERESTED IN DEFENDING ANYBODY FROM POLICE BRUTALITY.
9 WE HAVE RENEWED THE COMPLAINT WITH THE U.S. ATTORNEY VAIRA
10 WHO HAS COME IN. WE HAVE YET TO HEAR BACK FROM MR. VAIRA;
11 BUT WE UNDERSTAND THAT THERE IS A GREAT DEAL OF CONCERN RIGHT
12 NOW IN WASHINGTON THAT THE FOUNDATIONS WHICH I BELIEVE YOU,
13 MR. RHODES, ARE VERY, VERY PERSONALLY FAMILIAR WITH, AND THE
14 WAY THAT THE FOUNDATION MONEY IS CONDUITED, THAT THESE ARE
15 UNDER INVESTIGATION IN TERMS OF WHAT IT IS THAT THEY ARE
16 ATTEMPTING TO DO HERE IN PHILADELPHIA.

17 I WOULD ASK THIS COMMITTEE TO LOOK AT THE
18 ACTIVITIES OF THE PHILADELPHIA FOUNDATION TO SEE HOW MANY OF
19 THE INDIVIDUAL STORIES THAT HAVE COME BEFORE YOU INCLUDING
20 THE HOMICIDE SERIES THAT WAS DONE BY MARIMOW AND NEUMANN, HOW
21 MANY OF THESE STORIES BEGAN IN LITTLE ROOMS WITH A COLLECTION
22 -- A SMALL COLLECTION OF PEOPLE SITTING DOWNTOWN IN VERY NICE
23 SURROUNDINGS TRYING TO GET PEOPLE OUT FOR MARCHES AND
24 DEMONSTRATIONS, RALLIES, PRESS CONFERENCES, GOING OUT AND
25 SOLICITING WITNESSES, GOING TO PEOPLE AND SAYING, "YOU HAD

1 POLICE BRUTALITY, DIDN'T YOU, LET'S MAKE YOU A STAR WITNESS.

2 GO AND SEE WHAT THE PHILADELPHIA FOUNDATION
3 PAID FOR WITH TAX EXEMPT FUNDS, AND I THINK THAT YOU WILL
4 FIND A CASE HERE THAT OUGHT TO BE INVESTIGATED BY THE STATE
5 OF PENNSYLVANIA AS WELL AS THE UNITED STATES.

6 THEY WOULD LIKE TO CREATE A SITUATION IN
7 WHICH THERE IS VIOLENCE IN THIS CITY. I MIGHT SAY ONE MORE
8 THING, THIS IS THE BEST PROOF OF WHAT I AM SAYING, THIS
9 LEAFLET THAT WAS PUT OUT BY A RENEGADE MUSLIM OUTFIT. ACEL
10 MOORE OF THE PHILADELPHIA INQUIRER -- THIS IS MY FINAL REMARK
11 -- ACEL MOORE OF THE PHILADELPHIA INQUIRER WENT UP -- I AM
12 SORRY, HE WENT UP TO COVER THE STORY OF THE SHOOTING OF HOOD
13 AND HE KNEW THAT THE ORGANIZATION THAT THIS MAN BELONGED TO
14 WAS NOT A REGULAR MUSLIM ORGANIZATION. HE HAD A GREAT DEAL
15 OF DIFFERENCES WITH THE MUSLIMS POLITICALLY.

16 THAT REPORTER HAS A LONG HISTORY OF PERSONAL
17 INVOLVEMENT WITH ALL OF THE ACTIVITIES OF THE PHILADELPHIA
18 FOUNDATION. HE HAS PERSONALLY GONE OUT TO A WHOLE COLLECTION
19 OF THE GROUPS NAMED IN THIS BRIEF, TO 1500 CHERRY STREET IN
20 FEBRUARY OF LAST YEAR AND CONDUCTED A SEMINAR WITH THESE
21 GROUPS INCLUDING SUCH ORGANIZATIONS AS --

22 CHAIRMAN RHODES:

23 Q. IS THAT PART OF YOUR RECORD?

24 A. YES, THE SUSAN SAXE DEFENSE COMMITTEE, THE
25 VENCEREMOS BRIGADE, THE PEOPLES FUND; AND HE SAYS TO THEM, 'I

1 CAN FIND YOU CHANNELS THROUGHOUT THIS COUNTRY FOR GETTING
2 MONEY FROM FOUNDATIONS"; AND THIS IS HOW THEY HAD A SEMINAR
3 ON CONDUITING THE FUNDS.

4 Q. ARE YOU SUBMITTING THAT STATEMENT FOR THE
5 RECORD?

6 A. I DID ALREADY, YES.

7 Q. FINE. WE WILL INCLUDE THAT IN OUR RECORD.
8 THANK YOU VERY MUCH.

9 CHAIRMAN RHODES: OUR NEXT WITNESS TONIGHT --
10 DO YOU HAVE ANY QUESTIONS? ARE THERE ANY QUESTIONS OF THE
11 COMMITTEE? REPRESENTATIVE WILLIAMS?

12 REPRESENTATIVE WILLIAMS: NO.

13 CHAIRMAN RHODES: THANK YOU VERY MUCH, MR.
14 CHAITKIN.

15 REPRESENTATIVE RICHARDSON: HE HAS A STATEMENT.

16 REPRESENTATIVE WILLIAMS: I DON'T HAVE A
17 QUESTION.

18 CHAIRMAN RHODES: DO YOU HAVE A QUESTION?

19 REPRESENTATIVE WILLIAMS: NO, I DON'T HAVE A
20 QUESTION.

21 CHAIRMAN RHODES: OUR NEXT WITNESS IS MR.
22 MILTON STREET.

23 OH, DO YOU WANT TO PUT YOUR AFFILIATION ON
24 THE RECORD, CERTAINLY. WHAT IS YOUR AFFILIATION, SIR?

25 A. I AM A CANDIDATE FOR CONGRESS IN THE SECOND

1 DISTRICT AND CAMPAIGN COORDINATOR FOR PENNSYLVANIA FOR THE
2 UNITED STATES LABOR PARTY.

3 CHAIRMAN RHODES: THANK YOU.

4 (WITNESS EXCUSED.)

5 CHAIRMAN RHODES: MR. STREET, WILL YOU PLEASE
6 TAKE THE WITNESS STAND. AS YOU ARE SITTING, --
7 REPRESENTATIVE WILLIAMS, DID YOU WANT TO SAY SOMETHING?

8 REPRESENTATIVE WILLIAMS: YES.

9 CHAIRMAN RHODES: AS MR. STREET IS TAKING HIS
10 SEAT, REPRESENTATIVE WILLIAMS.

11 REPRESENTATIVE WILLIAMS: I JUST WANT TO PUT IN
12 THE RECORD, MR. CHAIRMAN, THAT THE WINSTON HOOD CASE WAS --
13 THE WINSTON HOOD CASE WAS INITIATED AND DEVELOPED BY A CALL
14 FROM A WITNESS WHO SAW IT TO A NEWSPERSON, NOT MR. MOORE,
15 AND THE WITNESSES WERE INTERVIEWED BY THAT PARTICULAR
16 REPORTER. THAT IS HOW MR. MOORE GOT THE STORY, WHICH HE WENT
17 THEN AND REINVESTIGATED; AND THAT REPORTER HAPPENS TO BE IN
18 THIS ROOM.

19 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS, THE
20 CHAIR IS PARTICULARLY THANKFUL TO YOU FOR ENTERING THAT INTO
21 THE RECORD.

22 THE NEXT WITNESS IS MR. MILTON STREET.

23 BEFORE I GO ON, MR. STREET, I WOULD LIKE TO
24 ACKNOWLEDGE ALSO THE PRESENCE OF OUR CHIEF COUNSEL OF OUR
25 INVESTIGATION, MR. MICHAEL REILLY, WHO JUST ENTERED THE

1 HEARING ROOM.

2 MR. STREET, DO YOU HAVE A SUBPOENA IN YOUR
3 POSSESSION TO APPEAR BEFORE THIS SUBCOMMITTEE TONIGHT?

4 MR. STREET: YES, SIR.

5 ---

6 T. MILTON STREET, SWORN.

7 CHAIRMAN RHODES: MR. STREET, WOULD YOU STATE
8 YOUR NAME AND SPELL IT, AND GIVE YOUR ADDRESS FOR THE RECORD.

9 A. MY NAME IS T. MILTON STREET, S-T-R-E-E-T.
10 MY ADDRESS IS 1812 WEST DIAMOND STREET, PHILADELPHIA, 19121.

11 I AM PRESIDENT OF THE NORTH PHILADELPHIA
12 BLOCK DEVELOPMENT COOPERATION.

13 I HAD HOPED DURING THESE HEARINGS THAT I
14 COULD HAVE HAD AN OPPORTUNITY TO TESTIFY A LITTLE EARLIER SO
15 THAT I COULD HAVE SAID A LOT OF THINGS THAT HAVE ALREADY BEEN
16 SAID, BUT I WOULD HAVE HAD THE OPPORTUNITY TO SAY THEM FIRST.

17 THERE REALLY IS NOT A WHOLE LOT THAT CAN BE
18 SAID OVER AND ABOVE WHAT HAS BEEN SAID ABOUT POLICE
19 BRUTALITY. I CAN TALK ABOUT THE HOOD CASE. I TALKED WITH
20 TONY JACKSON. I GOT A LOT OF INFORMATION. I LISTENED TO
21 TONY JACKSON TESTIFY, AND MANY OF THE FACTS ABOUT POLICE
22 BRUTALITY ARE ON THE RECORD.

23 BEFORE I SAY A FEW THINGS THOUGH, I WOULD
24 LIKE TO URGE THIS COMMITTEE, IT IS MY BELIEF THAT IF THIS
25 COMMITTEE DOES NOT USE ITS SUBPOENA POWER TO SUBPOENA MAYOR

1 RIZZO, COMMISSIONER O'NEILL AND THE RECORDS OF THE
2 PHILADELPHIA POLICE DEPARTMENT, ALL OF THIS WILL END UP A
3 MERE CHARADE AND WILL MEAN NOTHING FOR THE CONSTITUENTS AND
4 THE MASSES OF PEOPLE WHO HAVE SUFFERED BY THE PHILADELPHIA
5 POLICE IN THE CITY OF PHILADELPHIA.

6 AND I WOULD SUGGEST BEYOND THAT, THAT IT IS
7 TIME THAT THE STATE LEGISLATURE -- YOU ALL, OKAY, LET MAYOR
8 RIZZO KNOW, IN THIS PARTICULAR CASE, WHO HAS THE POWER, AND
9 IF HE REFUSES TO REVEAL THE RECORDS, THEN I THINK YOU SHOULD
10 MOVE IMMEDIATELY TO CUT OFF FUNDS TO THE CITY OF
11 PHILADELPHIA, OR USE WHATEVER MEANS ARE NECESSARY TO LET
12 RIZZO AND HIS ADMINISTRATION KNOW THAT THIS IS NOT GOING TO
13 TURN INTO A POLICE STATE, HE IS NOT GOING TO RUN AROUND AND
14 KILL PEOPLE AT WILL AND SUPPORT COPS WHO SHOOT HANDCUFFED
15 PEOPLE, WHO SHOOT IN PEOPLES' HOUSES LIKE I HEARD A YOUNG
16 LADY TESTIFY JUST A WHILE AGO.

17 AND I URGE YOU REPRESENTATIVE RHODES, AS
18 CHAIRMAN, THAT WHEN YOU CONVENE YOUR COMMITTEE, AND IF IT IS
19 THE DESIRE OF THE COMMITTEE, THAT THE RECORDS OF THE MAYOR
20 AND THE COMMISSIONER BE SUBPOENAED, THAT YOU MOVE ON THAT
21 EXPEDITIOUSLY AND WITH FORCE, ALL THE FORCE THAT YOU CAN
22 POSSIBLY MUSTER UP; OTHERWISE, I THINK THAT WE ARE IN BIG
23 TROUBLE IN PHILADELPHIA.

24 I WOULD JUST LIKE TO SPEAK TO A CASE WHERE A
25 VERY DEAR FRIEND OF MINE, A YOUNG LADY THAT I GREW UP WITH --

1 AT THAT TIME HER NAME WAS JANE RUSSELL. SHE HAD A SON WHO
2 WAS CARRYING A TELEVISION ACROSS THE SCHOOLYARD AND WAS SHOT
3 IN THE BACK. I AM SURE YOU HEARD TESTIMONY ABOUT IT. IT WAS
4 IN GERMANTOWN. IT HAPPENED LAST YEAR. THE YOUNG MAN WAS BUT
5 18, 19 YEARS OLD, HE WAS KILLED.

6 WHAT HAPPENED WAS THE POLICE AGAIN SAID THAT
7 HE POINTED A GUN AT HIM; THERE WAS NO GUN. I THINK THE FACTS
8 REVEALED THAT THERE WAS NO GUN, BUT THIS IS THE TYPE OF THING
9 THAT I CAN GO ON AND ON AND TALK ABOUT.

10 I HAPPEN TO KNOW THE YOUNG MAN THAT WAS SHOT
11 BY ACCIDENT AT BROAD AND JEFFERSON BECAUSE AN OFFICER WAS
12 HOLDING A GUN THAT JUST HAPPENED TO GO OFF, SHOT THE FELLOW
13 IN THE BACK, KILLED HIM WHILE HE WAS BEING SEARCHED AT THE
14 CAR.

15 REPRESENTATIVE RICHARDSON: MR. STREET, ON THE
16 POINT, ON THE FIRST CASE YOU REFERRED TO, FOR THE RECORD, ARE
17 YOU REFERRING TO THE MICHAEL CHARADE CASE IN GERMANTOWN?

18 A. YES. I AM SURE SOMEBODY TESTIFIED ABOUT IT.

19 REPRESENTATIVE RICHARDSON: NO, THEY HAVEN'T.
20 HE WAS 16 YEARS OF AGE?

21 A. SIXTEEN YEARS OF AGE.

22 WELL, LET ME TELL ABOUT THAT IF NOBODY
23 TESTIFIED ABOUT THAT DURING THE HEARINGS.

24 REPRESENTATIVE HUTCHINSON: COULD I ASK A
25 QUESTION ABOUT THAT?

1 CHAIRMAN RHODES: REPRESENTATIVE HUTCHINSON.

2 REPRESENTATIVE HUTCHINSON.

3 Q. MR. STREET, YOU SAID THAT YOU KNOW THAT HE
4 WAS SHOT IN THE BACK AT THIS TIME. WERE THERE ANY WITNESSES
5 THAT YOU KNOW OF TO THAT INCIDENT?

6 A. OH, YES. THERE WERE WITNESSES.

7 Q. WOULD YOU FURNISH THE NAMES TO THIS
8 COMMITTEE OF THE NAMES OF THOSE WITNESSES AND THEIR
9 ADDRESSES?

10 A. ABSOLUTELY. WE CAN FURNISH THE WHOLE
11 RECORD.

12 Q. WHERE IS THAT RECORD?

13 A. WELL, I CAN GET IT FROM TONY JACKSON. I CAN
14 GET IT FROM MR. CHARLES --

15 Q. THERE HAS BEEN A COMPLAINT FILED?

16 A. OH, YES. NOT ONLY A COMPLAINT, I THINK
17 THERE HAS ALSO BEEN A LAWSUIT FILED, AND THERE IS A WHOLE
18 FILE ON THAT PARTICULAR CASE.

19 Q. HAS THAT LAWSUIT IN FILE BEEN LITIGATED?

20 A. I AM NOT SURE IF IT HAS BEEN LITIGATED YET.

21 Q. THERE IS LEGAL ACTION PENDING?

22 A. THERE IS LEGAL ACTION PENDING.

23 CHAIRMAN RHODES: IN A NUMBER OF THESE CASES
24 THERE IS STILL ACTION PENDING.

25 REPRESENTATIVE HUTCHINSON YES. IF YOU KNOW

1 WHO THE THE WITNESSES WERE, IF WE COULD THEM?

2 A. YES. JUST I WANT TO TAKE AN OPPORTUNITY TO
3 GIVE REFERENCES OF SOME THINGS THAT I HAD HEARD AT THE
4 UNIVERSITY OF DREXEL WHEN I WAS THERE IN THE QUESTIONING OF
5 TONY JACKSON, AND I THINK, REPRESENTATIVE HURCHINSON, YOU HAD
6 ASKED SOME QUESTIONS AT THAT TIME ABOUT THE COMPLAINT PROCESS
7 AND CITIZENS GOING DOWN TO CITY HALL FILING A COMPLAINT
8 AGAINST A POLICE OFFICER. WELL, LET ME TELL YOU IT DOESN'T
9 WORK. I HAVE TRIED IT, AND IT DOESN'T WORK.

10 WHAT HAPPENS IS IN A CASE, FOR EXAMPLE, I
11 WAS STOPPED, SAY HYPOTHETICALLY SPEAKING IF I WAS STOPPED, A
12 POLICEMAN DIDN'T KNOW WHO I WAS AND I TRY TO EXPRESS MYSELF,
13 "OFFICER, I DIDN'T," YOU KNOW, AND SO ON; AND I TRIED TO GIVE
14 AN EXPLANATION FOR SOMETHING THAT HAD HAPPENED.

15 THERE IS NO OPPORTUNITY IN PHILADELPHIA TO
16 GIVE AN EXPLANATION. YOU ARE TOLD TO SHUT UP. AND IF YOU
17 DON'T SHUT UP, YOU ARE BATTERED ACROSS THE MOUTH AND THROWN
18 AROUND AND THE HANDCUFFS ARE PUT ON AND YOU ARE TAKEN IN.
19 AND WHEN YOU GET INTO THE POLICE STATION YOU ARE THROWN IN A
20 ROOM AND YOU ARE TOLD TO SHUT UP. AND IF YOU DON'T SHUT UP,
21 THEN GOD KNOWS WHAT MIGHT HAPPEN TO YOU.

22 IN 1966 WHEN I FIRST BEGAN TO VEND, STREET
23 VENDING ON THE TEMPLE UNIVERSITY CAMPUS, IT HAPPENED TO ME AT
24 LEAST 12 TIMES AND I CAN FURNISH THE RECORDS ON THOSE WHERE I
25 WAS LOCKED UP.

1 AND THE YOUNG LADY THAT TESTIFIED WHEN I WAS
2 COMING IN ABOUT HER HUSBAND THAT WAS SHOT AND KILLED WAS SO
3 CORRECT WHEN SHE SAID THAT YOU ARE LOCKED UP AND YOU ARE
4 LOCKED UP MANY TIMES FOR NO REASON. YOU ARE LOCKED UP FOR
5 TALKING; AND THEN YOU ARE BOOKED WITH RESISTING ARREST,
6 ASSAULT AND BATTERY ON A POLICE OFFICER, VERRAL ABUSE ON A
7 POLICE OFFICER BECAUSE YOU ROLLED YOUR EYES OR YOU LOOKED AT
8 HIM CROOKED OR SOMETHING; AND YOU ARE GIVEN A WHOLE LIST OF
9 CHARGES WHICH MANY TIMES STICK. MANY TIMES THEY MAKE THOSE
10 CHARGES STICK.

11 AND THE ONE THAT THEY REALLY COME DOWN ON
12 YOU WITH, WHAT I THINK IS AN ABUSIVE VIOLATION OF A
13 CITIZEN'S RIGHT IS DISORDERLY CONDUCT. YOU ARE STANDING ON
14 THE STREET, A POLICE OFFICER SAYS, "HALT." YOU TURN AROUND
15 AND SAY, "WHY?" AND HE SAYS, "YOU ARE ARRESTED." THEN HE
16 COMES IN TO COURT AND HE SAYS, "I ASKED HIM TO HALT, AND HE
17 STARTED TALKING IN A LOUD, BOISTEROUS WAY AND A CROWD
18 GATHERED, AND I ARRESTED HIM FOR DISORDERLY CONDUCT."

19 AND THAT'S EXACTLY WHAT HAPPENS, AND IT
20 HAPPENS OVER AND OVER AND OVER AGAIN. I'VE SEEN IT HAPPEN.

21 I WAS ARRESTED 11 TIMES.

22 REPRESENTATIVE HUTCH: WHAT FOR?

23 A. DISORDERLY CONDUCT. THEY DIDN'T HAVE
24 ANYTHING ELSE.

25 IN 1976 WHEN WE WERE FIGHTING FOR THE

1 RIGHT-TO-WORK IN CENTER CITY, STREET VENDORS, IT WOULD GET TO
2 THE POINT WHERE YOU WOULD WALK ON THE CORNER AND YOU WOULD
3 SAY, "GOOD MORNING, OFFICER," AND HE WOULD SAY, YOU ARE UNDER
4 ARREST." IT WASN'T THAT QUITE THAT BAD, BUT THAT IS ABOUT
5 WHAT HAPPENED. AND YOU ARE BOOKED WITH DISORDERLY CONDUCT,
6 VERBAL ASSAULT ON A POLICE OFFICER.

7 AND I OVEREMPHASIZE THE FACT THAT THIS
8 ATTITUDE --

9 REPRESENTATIVE WILLIAMS: VERBAL ASSAULT ON AN
10 OFFICER?

11 A. VERBAL ASSAULT ON AN OFFICER.

12 REPRESENTATIVE WILLIAMS: I HAVE NEVER HEARD OF
13 VERBAL ASSAULT ON AN OFFICER.

14 A. WELL, YOU KNOW, THEY PUT THEM DOWN THAT YOU
15 NEVER HEARD OF. IT'S --

16 CHAIRMAN RHODES:

17 Q. WE HEARD A CHARGE LAST NIGHT I HAD NEVER
18 HEARD OF.

19 A. WHAT I AM TOLD IT IS, IT'S PROFANITY. YOU
20 USED PROFANITY AND ALL THAT TYPE OF JIVE.

21 WHAT I AM SAYING TO YOU IS THAT THE
22 ATTITUDE, AND I AM SURE YOU HAVE HEARD THIS, OF THE
23 PHILADELPHIA POLICE FORCE IS EMANATING FROM THE MAYOR. THE
24 COMMISSIONER IS NOTHING MORE THAN A MOUTHPIECE FOR THE MAYOR,
25 AND THE MAYOR SUPPORTS THE COPS AND THE POLICE OFFICERS IN

1 PHILADELPHIA. I DON'T CARE WHAT THEY DO. IT DOESN'T MAKE
2 ANY DIFFERENCE WHAT THEY DO. HE WILL SUPPORT THOSE OFFICERS
3 AND HE HAS SAID THIS PUBLICLY.

4 AND AGAIN I EMPHASIZE, IT IS TIME THAT THIS
5 COMMITTEE, IN ORDER THAT YOU HAVE NOT WASTED YOUR TIME IN THE
6 LAST THREE OR FOUR MONTHS -- I REMEMBER WHEN YOU FIRST -- I
7 WAS READING ABOUT WHEN THEY FIRST TRIED TO GET THIS COMMITTEE
8 GOING, YOU DON'T GET THOSE RECORDS --

9 REPRESENTATIVE WILLIAMS: CAN I ASK A QUESTION
10 BEFORE YOU GO ON TO SOMETHING ELSE?

11 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS WOULD
12 LIKE TO ASK YOU A QUESTION.

13 A. ANYTHING.

14 REPRESENTATIVE WILLIAMS:

15 Q. WE HAVE HEARD A LOT OF PEOPLE STATE THAT THE
16 MAYOR SUPPORTS THE COPS, RIGHT OR WRONG, THE SAME WAY YOU
17 SAID; AND EVEN WHEN PEOPLE GET KILLED AND EVEN WHEN PEOPLE
18 GET THEIR HOUSES BROKEN INTO, OBVIOUS CASES, THE MAYOR STILL
19 SUPPORTS THEM.

20 WHY DO YOU THINK, SINCE PEOPLE HAVE
21 TESTIFIED THAT THAT HAPPENS AND IT CREATES A PROBLEM, WHY DO
22 YOU THINK THE MAYOR DOES THAT? WHAT DOES HE HAVE TO GAIN BY
23 DOING THAT? WHY WOULD THAT BE SO?

24 A. WELL --

25 Q. WHY WOULD THE MAYOR WANT TO CONTINUE TO

1 SUPPORT POLICEMEN WHO HAVE ABUSED PEOPLE, WHO MAY SHOOT
2 PEOPLE UNDER CIRCUMSTANCES THAT MIGHT SEEM LIKE MURDER? WHY
3 WOULD THE MAYOR WANT TO DO THAT? HOW CAN THAT HELP HIM OR
4 HELP THE CITIZENS?

5 A. WELL, I CAN ONLY SPECULATE. AND BASED ON MY
6 FRAME OF REFERENCE I THINK I CAN MAKE A PRETTY ACCURATE
7 ASSESSMENT OF WHY HE WOULD WANT TO DO THAT.

8 NUMBER ONE, WHEN HE RAN FOR MAYOR IN '71 HE
9 RAN ON A LAW AND ORDER PLATFORM, STRIKING FEAR INTO THE
10 HEARTS OF PEOPLE. BUT I THINK PEOPLE BEGAN TO REALIZE NOW
11 THAT WHOLE LAW AND ORDER FASCIST TYPE OF ATTITUDE IS GETTING
12 OUT OF HAND IN THE CITY OF PHILADELPHIA.

13 Q. DO YOU THINK LAW AND ORDER INCLUDES
14 INTIMIDATING, ABUSING AND KILLING INNOCENT PEOPLE?

15 A. THAT IS WHAT I MEAN WHEN I SAY IT IS GETTING
16 OUT OF HAND. LAW AND ORDER IS NECESSARY. I AM NOT OPPOSED
17 TO LAW AND ORDER.

18 I AM OPPOSED TO KILLING, I AM OPPOSED TO
19 ABUSIVE TYPES OF LAW AND ORDER.

20 Q. LET ME ASK YOU A QUESTION ON THAT. IS THERE
21 ANY WAY THAT THE MAYOR BY SUPPORTING THE POLICE FORCE, NO
22 MATTER WHAT THEY DO, WHO ARE THE ARM AND FORCE OF ALL OF US,
23 IS THERE ANY POLITICAL ADVANTAGE IN HAVING AN ARMY LIKE THAT
24 AT YOUR DISPOSAL?

25 A. ABSOLUTELY, ABSOLUTELY, ABSOLUTELY. NO

1 QUESTION ABOUT IT.

2 Q. WOULD THAT BE THE REASON?

3 A. IT COULD POSSIBLY BE THE REASON, ONE OF THE
4 REASONS.

5 CHAIRMAN RHODES: THANK YOU, REPRESENTATIVE
6 WILLIAMS.

7 MR. STREET, DO YOU HAVE MORE TO YOUR
8 STATEMENT?

9 A. NO, I PROBABLY CAN COVER EVERYTHING ELSE IN
10 QUESTIONS AND ANSWERS, IF THERE ARE ANY.

11 CHAIRMAN RHODES: LET'S START FROM THE RIGHT.
12 REPRESENTATIVE COHEN.

13 REPRESENTATIVE COHEN:

14 Q. HOW LONG HAVE YOU BEEN AWARE OF POLICE
15 BRUTALITY, SINCE '66 OR BEFORE THAT?

16 A. OH, NO; LONG BEFORE '66. I WAS AWARE OF
17 POLICE BRUTALITY WHEN MAYOR RIZZO BECAME POLICE COMMISSIONER.
18 I HAVE READ ARTICLES THAT THERE WAS POLICE BRUTALITY IN
19 PHILADELPHIA EVEN PRIOR TO THAT. BUT I DON'T THINK IT WAS OF
20 THE MAGNITUDE THAT IT HAS ESCALATED TO SINCE MAYOR RIZZO WAS
21 ELECTED IN '71.

22 I MIGHT ADD THAT I WAS AT THE STATE
23 BUILDING, I DON'T REMEMBER THE YEAR, WHEN THE POLICE
24 COMMISSIONER -- WHEN RIZZO WAS POLICE COMMISSIONER, AND THERE
25 WAS HAD A DEMONSTRATION. HE ORDERED A BLACK WOMAN, WHO

1 WEIGHED NO MORE THAN A HUNDRED OR A HUNDRED AND SIX POUNDS,
2 WHIPPED BY OFFICERS WITH BILLY CLUBS. AND I LITERALLY STOOD
3 THERE AND WAS THROWN IN THE WAGON ALSO BECAUSE WE WERE JUST,
4 YOU KNOW, DISAGREEING WITH WHAT WAS GOING ON, WHEN THEY
5 WHIPPED THAT SISTER TO THE GROUND.

6 AND SHE DIED, I THINK IT WAS A WEEK OR TWO
7 LATER. I WAS THERE. I SAW THAT. I WITNESSED THAT.

8 I WAS ALSO AT THE WALL WHEN MAYOR RIZZO WAS
9 POLICE COMMISSIONER. HE RAN MOTORCYCLES THROUGH PEOPLE.

10 REPRESENTATIVE RICHARDSON: YOU ARE TALKING
11 ABOUT THE GIRARD COLLEGE WALL?

12 A. GIRARD COLLEGE WALL, YES, WHEN HE RAN
13 MOTORCYCLES.

14 I WASN'T AT THE BLACK PANTHERS' HEADQUARTERS
15 WHEN HE STRIPPED THEM NAKED IN THE STREET. BUT I DID READ
16 ABOUT IT IN THE PAPER AND I AM AWARE OF THAT SITUATION.

17 REPRESENTATIVE COHEN:

18 Q. IN YOUR OPINION DID THE ABOLITION OF THE
19 CIVILIAN REVIEW BOARD BY MAYOR TATE IN 1969, DID THAT HAVE A
20 NEGATIVE EFFECT ON THE COMMUNITY?

21 A. IT DIDN'T HAVE ANY AFFECT EITHER WAY. IT
22 DIDN'T DO ANYTHING. IT WAS JUST THERE, IN MY OPINION.

23 REPRESENTATIVE COHEN: OKAY. NO FURTHER
24 QUESTIONS.

25 CHAIRMAN RHODES: REPRESENTATIVE DUMAS.

1 REPRESENTATIVE DUMAS:

2 Q. WHAT WOULD BE YOUR SUGGESTION TO MAYOR RIZZO
3 IF YOU COULD INFLUENCE HIM TO SET UP SOME TYPE OF SYSTEM OR
4 BOARD TO DEAL WITH POLICE BRUTALITY?

5 A. IF I COULD INFLUENCE MAYOR RIZZO TO DO
6 ANYTHING, I WOULD JUST ASK HIM WOULD HE PLEASE LAY DOWN AND
7 DIE.

8 Q. WELL, OTHER THAN DIE, WITH HIM REMAINING IN
9 OFFICE AND YOU COULD SUGGEST SOMETHING TO HIM THAT WOULD BE
10 PRACTICAL TO HELP ALLEVIATE SOME OF THIS HARDSHIP SITUATION
11 ON THE CITIZENS, WHAT WOULD BE YOUR SUGGESTION?

12 A. WELL, YOU SEE IT WOULD BE HARD TO MAKE ANY
13 TYPE OF SUGGESTION TO MAYOR RIZZO.

14 IF I HAD TO MAKE A SUGGESTION TO ANY ONE OF
15 YOU ON THE PANEL, IF YOU WERE GOING IN TO BE MAYOR, --

16 Q. OKAY. THE PANEL THEN.

17 A. MY SUGGESTION WOULD BE THAT, ONE, WE SET UP
18 A VERY GOOD PUBLIC RELATIONS, A TRAINING INSTITUTE TO TRAIN
19 POLICE OFFICERS IN PUBLIC RELATIONS IN HOW TO DEAL WITH
20 PEOPLE BEFORE THEY ARE PUT ON THE FORCE.

21 THEY SEND POLICE OFFICERS INTO OUR COMMUNITY
22 IN NORTH CENTRAL PHILADELPHIA THAT ARE NO MORE THAN 19, 20,
23 21 YEARS OLD. THEY SEE ONE OF THESE BIG BURLY, BLACK DUDES
24 COME OUT OF A BAR, THEY PANIC, LIKE THIS. (INDICATING)

25 THEY DON'T KNOW HOW TO DEAL WITH THE PEOPLE

1 IN NORTH CENTRAL PHILADELPHIA BECAUSE THEY ARE NOT TRAINED
2 HOW TO DEAL WITH PEOPLE. THE OFFICERS ARE NOT TRAINED HOW TO
3 TALK TO PEOPLE. THEY ARE NOT TRAINED TO DO ANYTHING BUT TO
4 SHOOT A GUN, AS FAR AS I AM CONCERNED.

5 AND MY SUGGESTION WOULD BE TO TRAIN PEOPLE.
6 YOU NEED TRAINING IN PUBLIC RELATIONS, HOW TO DEAL WITH
7 PERSON.

8 IF A MAN HAS BEEN BORN AND RAISED IN
9 KENSINGTON, AND THAT IS HIS FRAME OF REFERENCE, AND HE IS
10 GOING TO JOIN THE POLICE FORCE AND HE WAS RAISED AROUND WHITE
11 PEOPLE, THEN HE DOES NOT KNOW HOW TO DEAL WITH BLACK PEOPLE,
12 WHAT YOUR LANGUAGE IS, WHAT OUR JARGON IS, HOW WHEN WE
13 EXPRESS OURSELVES WE USE CERTAIN TERMS, THAT IS JUST OUR
14 DIALECT IN OUR NEIGHBORHOOD. WE ARE NOT NECESSARILY BEING
15 DISRESPECTFUL OR WE ARE NOT NECESSARILY TRYING TO CHALLENGE
16 HIS MANHOOD FOR ANY REASON. IT IS OUR DIALECT WHERE WE LIVE,
17 YOU KNOW.

18 AND THEY DON'T UNDERSTAND THAT. AND I AM
19 SURE THAT IT WOULD BE VICE VERSA IN ALL OF OUR COMMUNITIES.
20 BUT WE DON'T TRAIN OUR POLICE OFFICERS TO DEAL WITH THE
21 MAKEUP OF OUR DIFFERENT COMMUNITIES, TO RELATE TO THE PEOPLE
22 WHO LIVE THERE. WE DON'T DO THAT IN PHILADELPHIA.

23 THAT WOULD BE ONE OF MY SUGGESTIONS.

24 Q. IN OTHER WORDS, PROPERLY TRAIN AN OFFICER
25 BEFORE YOU ASSIGN HIM TO THE STREET IN ANY PARTICULAR

1 NEIGHBORHOOD?

2 A. ABSOLUTELY, ABSOLUTELY.

3 REPRESENTATIVE DUMAS: THANK YOU.

4 CHAIRMAN RHODES: REPRESENTATIVE WHITE.

5 REPRESENTATIVE WHITE:

6 Q. MR. STREET?

7 A. YES, I AM LISTENING.

8 Q. WE HAVE HEARD A NUMBER OF SUGGESTIONS THAT
9 HAVE BEEN POSED BY WHAT I WOULD DESCRIBE AS COMMUNITY
10 ACTIVIST TYPES. WE HAVE HEARD TESTIMONY FROM COMMUNITY
11 PERSONS WHO HAVE SUGGESTED THAT SOME MECHANISM BE CREATED
12 WHERE AN OMBUDSMAN OR AN ADVOCATE BE STATIONED IN LOCAL
13 POLICE DISTRICTS TO MORE OR LESS SERVE AS A WATCHDOG AND TO
14 ADVOCATE FOR THOSE INDIVIDUALS WHO, ONE, MAY BE FILING A
15 COMPLAINT OR, TWO, BEING BROUGHT IN FOR ARREST OR SOMETHING
16 OF THAT NATURE.

17 WE HAVE HAD TESTIMONY FROM COUNCILMAN
18 COLEMAN WHO ALLUDED TO TWO PIECES OF LEGISLATION THAT ARE
19 BEFORE CITY COUNCIL, ALL OF WHICH THAT TESTIMONY DEALS WITH
20 INCREASING CITIZEN INPUT INTO THE AFFAIRS OF THE POLICE IN
21 TERMS OF THE COMPLAINT PROCESS AND HOW PROPER COMPLAINTS ARE
22 FILED AND WHO IS TO MAKE RECOMMENDATIONS OR TO REVIEW THOSE
23 COMPLAINTS AND PASS IT ON TO THE COMMISSIONER AND SO FORTH
24 AND SO ON.

25 I AM NOT TALKING SPECIFICALLY ABOUT THE

1 CIVILIAN REVIEW BOARD BECAUSE I THINK THERE ARE OTHER WAYS WE
2 CAN GO, ASIDE FROM THAT.

3 BUT DO YOU HAVE ANY OPINION ON THE ROLE THE
4 CITIZENS MUST PLAY OR SHOULD PLAY IN EASING SOME OF THE
5 TENSION EXISTING PRESENTLY BETWEEN THE POLICE AND THE
6 PHILADELPHIA COMMUNITY?

7 A. I DON'T THINK THERE IS MUCH CITIZENS CAN DO
8 AS LONG AS RIZZO IS MAYOR. I DON'T THINK THERE IS ANYTHING
9 CITIZENS CAN DO. I THINK THOSE SUGGESTIONS WOULD BE GOOD IF
10 WE HAVE A MAN WHO IS IN THE MAYOR'S OFFICE WITH THE PROPER
11 TYPE OF ATTITUDE TO DEAL WITH PEOPLE.

12 I THINK THE MAYOR ACTUALLY COULD CONTROL THE
13 POLICE DEPARTMENT AND THE ATTITUDE OF THE POLICE HIMSELF. I
14 DON'T THINK WE WOULD NEED ANYTHING WITH A MAYOR WITH THE
15 PROPER ATTITUDE.

16 THE POLICEMAN KNOWS WHEN HE GETS OUT OF
17 ORDER, HE IS GONE; THAT WHEN HE DOESN'T LIVE UP TO THE CODE
18 OR STANDARDS OF THE POLICE DEPARTMENT AND RESPECT THE RIGHTS
19 OF THE PEOPLE BUT AT THE SAME TIME DO HIS JOB, HE'S GONE, YOU
20 KNOW. THAT ATTITUDE IS GOING TO EMANATE FROM THE MAN WHO IS
21 IN CHARGE.

22 BUT I THINK CITIZEN INPUT COULD BE NECESSARY
23 IF IT IS GOING TO BE MEANINGFUL; AND I DON'T SEE UNDER THIS
24 PRESENT ADMINISTRATION -- I'M TRYING TO FORGET THAT, BUT I
25 THINK IT IS IMPORTANT THAT WE CONTINUE TO EMPHASIZE THAT

1 BECAUSE THAT IS THE ISSUE AND THAT IS THE REASON WHY YOU ARE
2 HERE BECAUSE OF THIS ADMINISTRATION, I THINK, OR ONE OF THE
3 MAJOR REASONS.

4 I DON'T THINK COUNCILMAN COLEMAN'S BILLS ARE
5 WORTH THE PAPER THEY ARE WRITTEN ON. I HAVE READ THEM, YOU
6 KNOW. I DON'T EVEN WANT TO ADDRESS MYSELF TO THOSE.

7 I THINK THAT COMMUNITY GROUPS SHOULD HAVE
8 THE POWER TO INFLUENCE PRECINCTS IN THEIR COMMUNITY. I THINK
9 COMMUNITY GROUPS SHOULD BE ABLE TO GO TO THE PRECINCT THAT
10 EXISTS WITHIN ITS COMMUNITY AND BE ABLE TO HAVE AN OPEN
11 RAPPORT OR AN OPEN INVITATION TO TALK TO THAT STAFF INSPECTOR
12 AND EXPRESS THE CONCERNS OF THE COMMUNITY TO THE STAFF
13 INSPECTOR. AND I THINK THE TYPE OF RELATIONSHIP AND RAPPORT
14 SHOULD BE SET UP WHERE THAT STAFF INSPECTOR RESPONDS.

15 IF THE STAFF INSPECTOR HAS AN INABILITY TO
16 BE ABLE TO IMPLEMENT WHAT IT IS THAT THE COMMUNITY WANTS,
17 THEN HE SHOULD LEAVE. HE SHOULD GO.

18 THE COMMUNITY SHOULD CONTROL ITS
19 INSTITUTIONS, ITS ECONOMICS, AND ITS POLITICS. IF THEY CAN'T
20 DO THAT, THEN OF COURSE, THEY ARE GOING TO HAVE THESE
21 PROBLEMS THAT WE ARE HERE DISCUSSING.

22 CHAIRMAN RHODES: THANK YOU, MR. STREET.

23 REPRESENTATIVE HUTCHINSON.

24 REPRESENTATIVE HUTCHINSON:

25 Q. YOU HAVE DESCRIBED THE PROBLEM THAT EXISTS

1 AND WE HAVE HEARD A LOT OF TESTIMONY ON THAT.

2 AND WHEN YOU SAID IN YOUR TESTIMONY THAT YOU
3 TRACED IT TO THE TIME WHEN THE MAYOR WAS POLICE COMMISSIONER,
4 WHEN MAYOR RIZZO WAS POLICE COMMISSIONER, YOU TRIED TO PUT
5 MAYOR RIZZO ASIDE AND HAVEN'T. I AM CONCERNED ABOUT THIS.

6 WHAT CAN WE DO, WHAT CAN WE DO BY
7 LEGISLATION? DO YOU HAVE ANY SUGGESTIONS?

8 YOU SAID COUNCILMAN COLEMAN'S BILLS AREN'T
9 WORTH THE PAPERS THAT THEY ARE WRITTEN ON.

10 A. NO.

11 Q. IT IS A PROBLEM OF ATTITUDE. WHAT CAN THIS
12 COMMITTEE DO IN HARRISBURG TO CHANGE THAT ATTITUDE? WE ARE A
13 LEGISLATIVE COMMITTEE AND THAT IS OUR PROBLEM. WHAT CAN WE
14 DO ABOUT IT?

15 A. WELL, YOU CAN'T DO ANYTHING TO CHANGE THE
16 ATTITUDE. WHAT I THINK, SINCE THE CITY IS AN INSTRUMENTALITY
17 OF THE STATE AND THE STATE -- I AM NOT FAMILIAR WITH ALL OF
18 THE LAWS, I AM NOT FAMILIAR WITH HOW MUCH LATITUDE YOU HAVE
19 WITH REFERENCE TO LEGISLATION, BUT I WOULD NOT -- I WOULD
20 AGREE WITH CHARLIE BOWSER'S TESTIMONY, IF WE COULD GET THAT
21 TYPE OF LEGISLATION -- AGAIN, I DON'T KNOW -- WHERE IF A
22 POLICEMAN IS HOOKED UP IN SOME TYPE OF POLICE BRUTALITY, AND
23 THAT WILL BE A PROBLEM BECAUSE IT WILL COME DOWN TO
24 CONVICTION, THEN HE AUTOMATICALLY LOSES HIS RETIREMENT
25 BENEFITS OR THEY GO TO PAY DAMAGES WHERE THERE IS A

1 CONVICTION.

2 TO DIRECTLY ANSWER YOUR QUESTION, I THINK
3 THAT IT IS VERY DIFFICULT.

4 Q. LET ME EXPRESS THE FRUSTRATION I HAVE: WHEN
5 YOU HEAR ABOUT THESE THINGS, AND ASSUMING THEY ARE TRUE -- I
6 AM NOT SAYING THEY ARE OR THEY AREN'T BECAUSE WE ARE NOT A
7 COURT, WE ARE A COMMITTEE. BUT THERE ARE IN THE CRIMINAL
8 CODE OF THE COMMONWEALTH OF PENNSYLVANIA -- THESE ARE THE
9 THINGS THAT HAVE BEEN DESCRIBED AS HAPPENING, IF THEY DID
10 HAPPEN, ARE CRIMES. AND IF A CONVICTION WAS OBTAINED OF THE
11 PEOPLE WHO DID THAT, WHO WERE CONVICTED OF IT, WOULD ALREADY
12 GO, THEY WOULD GO TO JAIL AND THERE WOULDN'T BE POLICE
13 OFFICERS BECAUSE THEY WOULD BE OFF THE STREET AND IN JAIL
14 THEMSELVES.

15 AND THE FRUSTRATION I HAVE WITH THIS IS YOU
16 HAVE A SERIOUS PROBLEM AND WHAT DO WE DO, WHAT CAN WE DO IN
17 HARRISBURG? YOU SAY, 'PASS ANOTHER LAW.' THE LAWS ARE
18 THERE.

19 A. IT IS THE IMPLEMENTATION OF THE LAWS THAT WE
20 ARE DOWN TO, RIGHT.

21 CHAIRMAN RHODES:

22 Q. I WOULD SUGGEST, MR. STREET, I SHARE
23 REPRESENTATIVE HUTCHINSON'S FRUSTRATION.

24 AND NOT ONLY IS IT THAT THE LAWS ARE ON THE
25 BOOKS; IF THE MOST SENIOR CIVIL SERVANT OF THIS CITY MAKES IT

1 CLEAR TO THE POLICE DEPARTMENT THAT, ONE, IF THERE IS ANY
2 CIVIL LIABILITY INCURRED BY THEIR MISDEEDS, THE CITY WILL
3 COVER IT AND, TWO, IF THERE IS ANY CRIMINAL LIABILITY
4 INCURRED, THE POLICE DEPARTMENT HAS EVERY ENCOURAGEMENT FROM
5 THAT MOST SENIOR CIVIL SERVANT TO FRUSTRATE ANY CRIMINAL
6 INVESTIGATION AS MUCH AS IT CAN, AND HE WILL DO EVERYTHING,
7 HIS TOP POLICE OFFICIALS WILL DO EVERYTHING THEY CAN TO SEE
8 TO IT THAT THAT INDIVIDUAL POLICE OFFICER DOES NOT COME TO
9 JUSTICE, YOU ARE FACED WITH AN ALMOST CATASTROPHIC SITUATION.

10 THAT IS MY FRUSTRATION.

11 A. THAT IS WHERE WE ARE.

12 Q. AND I AM USING A LITTLE LIBERTY HERE WITH
13 THE COMMITTEE, I HOPE THEY WILL INDULGE ME.

14 WHAT I AM WORRIED ABOUT, NO MATTER WHAT LAWS
15 WE PUT TOGETHER, IF WE CAN COME UP WITH SOME GOOD LAWS, WE
16 MAY PASS THEM. EVEN IF THEY ARE GREAT LAWS, THERE IS GOING
17 TO BE AN INTERVAL OF TIME, I WOULD SAY AT THE MOST,
18 OPTIMISTICALLY, IT WILL BE A YEAR.

19 THE TESTIMONY THAT WE HAVE HEARD SO FAR TO
20 THIS COMMITTEE THIS WEEK AND THAT OUR STAFF ABLY HAVE
21 ASSEMBLED FOR OUR REVIEW INDICATES THAT JUST ABOUT EVERY TWO
22 OR THREE MONTHS ANOTHER CITIZEN OF PHILADELPHIA WILL BE
23 KILLED UNJUSTLY BY THE POLICE DEPARTMENT. THAT IS AN
24 ALARMING RATE, CONSIDERING THE SIZE OF THIS CITY; AND THAT
25 ABOUT ONCE EVERY THREE OR FOUR WEEKS SOME CITIZEN IS GOING TO

1 BE PHYSICALLY ABUSED BY --

2 REPRESENTATIVE DUMAS: EVERY TWO OR THREE DAYS,
3 YOU MEAN.

4 CHAIRMAN RHODES:

5 Q. EXCUSE ME, EVERY TWO OR THREE DAYS SOME --

6 A. I WOULD SAY HOURS.

7 Q. EVERY TWO OR THREE DAYS SOME CITIZEN IS
8 GOING TO BE PHYSICALLY ABUSED BY THE POLICE DEPARTMENT.

9 WHAT DO WE IN THE STATE DO?

10 PHILADELPHIA IS STILL PART OF THE STATE OF
11 PENNSYLVANIA. I KEEP TRYING TO REMIND A LOT OF MY COLLEAGUES
12 IN THE HOUSE THAT IS THE CASE. EVERYONE ON THIS COMMITTEE
13 KNOWS IT, NOT EVERYBODY IN THE HOUSE RECOGNIZES IT OR AT
14 LEAST ACKNOWLEDGES THAT PHILADELPHIA IS PART OF THE
15 COMMONWEALTH ALL OF THE TIME.

16 IS THIS SITUATION SO SERIOUS THAT DURING
17 THIS YEAR INTERVAL THAT CITIZENS ARE GOING TO BE, INNOCENT
18 CITIZENS ARE GOING TO BE KILLED AND HURT, THAT WE SHOULD
19 EXPLORE THE MOST EXTRAORDINARY ACTIONS AVAILABLE TO THE
20 GOVERNOR TO REMEDY THIS SITUATION?

21 A. ABSOLUTELY.

22 Q. THERE ARE ACTIONS AVAILABLE TO THE GOVERNOR,
23 MOST EXTRAORDINARY.

24 A. LET ME TELL YOU HOW SERIOUS THIS SITUATION
25 IS. I ATTENDED A MEETING LAST NIGHT AND THE NIGHT BEFORE,

1 AND I AM GOING TO TELL YOU THIS: PEOPLE ARE TALKING ABOUT
2 NOW RETALIATION AGAINST THE COPS. I AM GOING TO TELL YOU HOW
3 SERIOUS IT IS. PEOPLE ARE TALKING ABOUT NOW, "LET'S HAVE
4 SOME MORE SILICONES."

5 DO YOU KNOW WHAT SILICONE IS?

6 Q. NO.

7 A. SILICONE IS A COP THAT WAS SHOT IN THE BACK
8 OF THE HEAD AT 16TH AND OXFORD STREETS -- 16TH AND NORRIS
9 STREETS.

10 REPRESENTATIVE RICHARDSON: 21ST AND NORRIS.

11 A. 21ST AND NORRIS, IN NORTH PHILADELPHIA.

12 CHAIRMAN RHODES:

13 Q. HE WAS A PARK POLICEMAN, WASN'T HE? HE WAS
14 SITTING IN HIS CAR?

15 A. HE WAS SITTING IN HIS CAR. AND HERE WE ARE
16 EIGHT TO NINE YEARS LATER AND THEY DON'T KNOW WHO KILLED
17 SILICONE.

18 OKAY, NOW WE ARE TO THAT POINT. WE ARE TO
19 THAT POINT IN PHILADELPHIA WHERE THE CITIZENRY OF
20 PHILADELPHIA ARE TALKING ABOUT RETALIATION AGAINST THE
21 POLICE.

22 Q. UNLESS SOMETHING --

23 A. UNLESS SOMETHING DEFINITIVE IS DONE
24 IMMEDIATELY, YOU ARE GOING TO HAVE WAR BETWEEN THE CITIZENS
25 OF PHILADELPHIA AND THE POLICE DEPARTMENT. AND I SAY THAT

1 WITHOUT FEAR OF ANY SUCCESSFUL CONTRADICTION. I HAVE
2 ATTENDED THE MEETINGS, I HEAR THE TALK. I HAVE HAD PEOPLE
3 CALL ME UP AND THEY SAY, 'STREET, THE ONLY THING WE CAN DO IS
4 RETALIATE. WE ARE NOT GOING TO LAY BACK HERE AND HAVE
5 PEOPLE,' YOU KNOW --

6 Q. MR. STREET, I ADVISE YOU ALTHOUGH THIS
7 COMMITTEE HAS BEEN SOMETIMES TYPIFIED AS A MILK-TOAST AND WE
8 DON'T HAVE VERY MANY POWERS AVAILABLE TO US, --

9 A. LET'S GET TO THE GOVERNOR AND USE SOME OF
10 THOSE EXTRAORDINARY THINGS.

11 Q. -- I WOULD LIKE TO INFORM YOU WE CAN
12 RECOMMEND FAIRLY EXTREME ACTIONS BY THE GOVERNOR.

13 CHAIRMAN RHODES: REPRESENTATIVE HUTCHINSON,
14 ARE YOU FINISHED WITH YOUR LINE OF QUESTIONING?

15 REPRESENTATIVE HUTCHINSON: I LOST THE TRAIN.
16 I WAS TRYING TO GET INTO THE LEGISLATIVE.

17 A. I DIDN'T HEAR THAT.

18 REPRESENTATIVE HUTCHINSON: I WAS TRYING TO GET
19 BACK TO MY TRAIN OF THOUGHT. WE WERE TALKING ABOUT
20 LEGISLATIVE MEASURES.

21 (PAUSE.)

22 REPRESENTATIVE HUTCHINSON: I DON'T HAVE ANY
23 FURTHER QUESTIONS.

24 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

25 REPRESENTATIVE RICHARDSON:

1 Q. YOU HAVE PAINTED FOR US A VERY SERIOUS
2 PICTURE HERE IN THE CITY OF PHILADELPHIA CONCERNING THE
3 PROBLEM.

4 I AM CONCERNED AS MANY OF THE MEMBERS ARE OF
5 THIS COMMITTEE AND WE HAVE BEEN VERY SERIOUS ABOUT THESE
6 HEARINGS AND IN NO WAY WANT TO EVER MAKE ANYBODY FEEL THAT WE
7 ARE NOT SERIOUS.

8 I AM TRYING TO FOCUS IN ON SOMETHING THAT
9 REPRESENTATIVE HUTCHINSON SAID.

10 DO YOU THINK THERE IS AN OVERALL CONSPIRACY
11 IN THE CITY OF PHILADELPHIA IN RELATIONSHIP TO ITS COURTS, TO
12 THE POLICE, AND TO THE QUESTION THAT IS BEING RAISED ABOUT
13 POLICE BRUTALITY AND POLICE VIOLENCE HERE IN THE CITY OF
14 PHILADELPHIA?

15 A. I DON'T KNOW WHETHER CONSPIRACY IS A PROPER
16 TERM.

17 I THINK THE POLITICAL REALITY IS THAT THE
18 MAYOR CONTROLS A LOT OF PEOPLE IN THE COURTS, A LOT OF PEOPLE
19 ON EVERY LEVEL; AND THE POLITICAL REALITY IS THAT WHATEVER
20 THE MAYOR WANTS THE MAYOR GETS IN MANY CASES.

21 FOR EXAMPLE, THE MOVE SITUATION DID NOT GO
22 TO THE JUDGE THAT IT IS BEFORE BY ACCIDENT, IN MY OPINION.
23 AND IT IS THIS TYPE OF THING THAT WE HAVE THAT WE ARE
24 CONFRONTED WITH.

25 Q. ARE YOU REFERRING TO JUDGE DIBONA?

1 A. YES, JUDGE DIBONA, YES.

2 Q. IF THAT IS TRUE, OKAY, AND WE RECOGNIZE
3 THAT, AND REPRESENTATIVE RHODES HAS SAID MORE SEVERITY SHOULD
4 BE USED IN CASES LIKE THIS IN TERMS OF WHATEVER EXTREMES
5 THERE ARE, DO YOU FEEL THAT EVEN WE, WHO HAVE THE POWER TO
6 INVESTIGATE AND LEGISLATE, ARE HELPLESS TO AN EXTENT WHERE
7 THAT IS ALL THAT WE CAN DO, AND THAT WE SHOULD SEEK OTHER
8 FORMS OR OTHER MEANS TO TRY AND GET THE PROBLEM RESOLVED IN
9 THE CITY OF PHILADELPHIA?

10 TO GIVE YOU AN EXAMPLE: THE LADY TESTIFIED
11 HERE EARLIER TODAY, YOU WERE NOT HERE, SHE WAS ON THE WITNESS
12 STAND FOR CLOSE TO TWO AND A HALF HOURS HERE TONIGHT. I AM
13 SAYING SHE AND HER DAUGHTER LEFT HERE SHAKING, IN FEAR THAT
14 THEY WOULD BE HARASSED BY THE POLICE AFTER THEY LEFT HERE FOR
15 TESTIFYING HERE THIS EVENING ON THE VERY SAME QUESTION.

16 I AM SAYING AS A COMMITTEE WE HAVE NO POWERS
17 TO STOP THE HARASSMENT. WE HAVE NO POWERS TO SAY THAT
18 WHOEVER TESTIFIES WILL NOT BE HARASSED ONCE THEY LEAVE HERE.

19 WHAT RECOURSE DO WE GO TO? WHERE DO WE SEEK
20 THE HELP THAT IS NECESSARY TO SAVE WHAT YOU SAY IS A "POWDER
21 KEG SITUATION"?

22 A. I THINK YOU GO DIRECTLY TO THE GOVERNOR,
23 BROTHER, IF HE HAS ALL THE POWERS, IF I DIDN'T MISUNDERSTAND
24 THE CHAIRMAN HERE, REPRESENTATIVE RHODES, AND THE GOVERNOR
25 HAS EXTRAORDINARY POWERS. WHATEVER THEY ARE, I THINK THEY

1 SHOULD BE EXHAUSTED; AND AT THAT POINT IF THEY ARE NOT
2 EXHAUSTED, I THINK WE'D ALL JUST BETTER RUN FOR COVER OR DO
3 SOMETHING BECAUSE THIS THING IS GOING TO BLOW UP.

4 Q. WITHOUT LEADING THE QUESTION, IF IT IS NOT
5 THE GOVERNOR, THEN WHO?

6 A. YOU HAD BETTER GO TO THE FEDERAL GOVERNMENT
7 -- I REALLY CAN'T ANSWER THAT QUESTION. I DON'T KNOW. I AM
8 TRYING TO FOLLOW YOU. I DON'T WHO WE GO TO. I DON'T KNOW
9 WHO WE GO TO. I DON'T KNOW WHAT WE DO IN THAT SITUATION,
10 BROTHER.

11 Q. ONE LAST QUESTION: MILTON, WE HAVE HEARD A
12 LOT OF TESTIMONY AND I AM SERIOUS, I THINK THAT THERE IS
13 GOING TO BE A DIFFICULT TIME OF TRYING TO GET WHATEVER
14 TESTIMONY WE CAN OUT OF HEARINGS ON THE OTHER SIDE OF THE
15 COIN, AND THAT THERE IS GOING TO BE A LOT OF PROBLEMS
16 RELEVANT TO HOW WE CAN GET TO THE BOTTOM LINE OF WHAT YOU ARE
17 DISCUSSING HERE THIS EVENING BECAUSE THERE ARE PROBLEMS IN
18 THE CITY, WITHOUT TAINING THE RECORD.

19 BUT WE AS A LEGISLATIVE GROUP SHOULD NOT
20 HAVE TO FEEL POWERLESS --

21 A. I AGREE.

22 Q. AS THE REPRESENTATIVES OF PEOPLE WHO HAVE
23 SENT US INTO OFFICE.

24 A. I AGREE.

25 Q. YOU SAID YOU FEAR CITIZENS ARMING THEMSELVES

1 TO RETALIATE AGAINST POLICE?

2 A. NO QUESTION ABOUT IT.

3 REPRESENTATIVE HUTCHINSON: DON'T THE POLICE
4 FEAR THAT TOO?

5 A. I DON'T KNOW WHETHER THEY FEAR IT OR NOT.

6 REPRESENTATIVE HUTCHINSON: WHAT I AM TRYING TO
7 SAY --

8 A. THE ONLY POINT I AM TRYING TO MAKE,
9 REPRESENTATIVE HUTCHINSON, THAT IN A CRISIS SITUATION WE
10 ALWAYS FIND ANSWERS. IF IT WERE TO BLOW UP AND IF PEOPLE
11 WERE TO START SHOOTING AT EACH OTHER AND THERE WERE
12 CONFRONTATIONS BETWEEN COMMUNITY AND POLICE, THEN WE WOULD
13 FIND SOME ANSWERS. THE BUREAUCRATS CAN GET DOWN AT THAT
14 POINT AND THE GOVERNOR OR THE PRESIDENT OR THE SENATORS, THE
15 UNITED STATES SENATORS, OR SOMEBODY COULD COME UP WITH SOME
16 ANSWERS.

17 BUT IT SEEMS THAT OUR ATTITUDE, AND WE ARE
18 ALWAYS HUNG UP WHEN IT COMES TO FINDING THOSE ANSWERS BEFORE
19 THE VOLCANO ERUPTS, YOU KNOW; AND THIS IS THE POINT THAT I AM
20 TRYING TO EMPHASIZE.

21 AND I DON'T KNOW THE ANSWERS. I DON'T KNOW
22 THE ANSWERS; BUT I AM SAYING THAT THE SERIOUSNESS OF THE
23 PROBLEM IS OF SUCH NATURE IF WE WERE TO STAY UP FOR A WEEK,
24 LET'S FIND SOME ANSWERS BEFORE THE VOLCANO ERUPTS BECAUSE IT
25 IS RUMBLING LIKE HELL AND IT IS GOING TO ERUPT, YOU KNOW.

1 AND THAT IS ALL I AM SAYING.

2 I DON'T HAVE THE ANSWERS, BUT I WOULD BE
3 WILLING TO WORK WITH YOU AND SPEND AS MANY HOURS AS NECESSARY
4 TO TRY TO FIND THE ANSWERS BEFORE THIS THING HAPPENS, BECAUSE
5 IT IS GOING TO BE A REALLY SERIOUS SITUATION IF IT DOES.

6 REPRESENTATIVE RICHARDSON:

7 Q. DO YOU THINK THAT CORRUPTION, WIDESPREAD
8 CORRUPTION AND RACISM ARE A PART OF THE OVERALL PROBLEM
9 RELEVANT TO THE CITY POLICE DEPARTMENT HERE IN THE CITY OF
10 PHILADELPHIA CONCERNING POLICE VIOLENCE AND/OR VIOLENCE BY
11 CITIZENS ON POLICE?

12 A. I THINK IN SOME CASES IT IS DEFINITELY
13 RACISM; BUT I DON'T THINK IT IS RACISM IN SOME AREAS WHERE
14 WHITE POLICEMEN ARE BEATING THE HELL OUT OF WHITE PEOPLE AND
15 IN SOME CASES WHERE BLACK POLICEMEN ARE BEATING UP BLACK
16 PEOPLE. I DON'T THINK IT IS RACISM IN THAT CASE. I THINK WE
17 HAVE SOME, DEFINITELY IN SOME CASES IT IS.

18 I THINK THE PROBLEM IS THAT THE POLICE FORCE
19 IN PHILADELPHIA AND THE MEMBERS OF THE POLICE FORCE HAVE
20 CARTE BLANCHE TO DO WHATEVER IT IS THEY WANT TO DO ON THE
21 CITIZENS OF PHILADELPHIA AND KNOW THAT THEY HAVE THE SUPPORT
22 FROM THE F.O.P., THE MAYOR, AND ANYBODY ELSE UP UNTIL NOW.
23 AND THEY HAVE NO DETERRENT. THERE IS NO DETERRENT IN THE
24 CITY OF PHILADELPHIA TO KEEP A POLICEMAN FROM KICKING A MAN
25 IN HIS BEHIND WHENEVER HE WANTS TO, BECAUSE HE KNOWS HE CAN

1 GET AWAY WITH IT.

2 WHAT IS THE DETERREN? I AM NOT GOING TO
3 KICK YOU IN YOUR BUTT IF I THINK I AM GOING TO PULL BACK A
4 NUB. I AM SAYING THAT THESE GUYS CAN DO WHATEVER THEY WANT
5 TO DO.

6 I HAVE WALKED UP COLUMBIA AVENUE AND SAW THE
7 POLICE TAKE BROTHERS OFF THE CORNERS AND TAKE THEM BEHIND THE
8 SCHOOL AT 17TH AND COLUMBIA AVENUE AND WORK THEM OVER.

9 WE ARE ONLY TALKING ABOUT THE POLICE
10 BRUTALITY CASES THAT ARE REPORTED, THAT WE KNOW ABOUT. BUT
11 THERE ARE HUNDREDS AND HUNDREDS OF CASES THAT NEVER GET TO
12 THE PRESS, HUNDREDS AND HUNDREDS OF CASES THAT ARE NEVER
13 REPORTED OF POLICE BRUTALITY CASES IN PHILADELPHIA.

14 THAT IS WHY I AM EMPHASIZING THE SERIOUSNESS
15 OF THE PROBLEM HERE.

16 CHAIRMAN RHODES: THANK YOU, MR. STREET.

17 REPRESENTATIVE RICHARDSON: I HAVE ONE OTHER
18 QUESTION, MR. CHAIRMAN.

19 REPRESENTATIVE RICHARDSON:

20 Q. DO YOU HAVE ANY CASE FACT HISTORY, NAMES,
21 DATES, PLACES, THAT YOU COULD SHARE WITH THIS COMMITTEE
22 CONCERNING CASES WHERE YOU KNOW SPECIFICALLY THAT POLICEMEN
23 HAVE LIED, WHERE YOU KNOW POLICEMEN HAVE RESORTED TO COVERING
24 UP INFORMATION THAT IS SUPPOSED TO BE USED IN COURT OR
25 ANYTHING OF THAT NATURE THAT WOULD DEMONSTRATE TO THIS

1 COMMITTEE THAT PERHAPS -- AND SINCE OUR CHIEF COUNSEL IS
2 HERE, PERHAPS THERE IS A NEED FOR US TO LOOK AT THE
3 CORRUPTION PART OF THIS SINCE THIS COMMITTEE ALSO IS ABOUT
4 THE ORGANIZED CRIME AND PUBLIC CORRUPTION IN THE STATE OF
5 PENNSYLVANIA AS WELL.

6 A. THAT TYPE OF INFORMATION, REPRESENTATIVE
7 RICHARDSON, IS ALMOST NONEXISTENT. I KNOW OF CASES WHERE WE
8 HAVE DOCUMENTED CASES AND WHEN THEY HAVE COME OUT IN
9 LITIGATION OR THEY COME OUT IN COURT, I MEAN THE FACTS ARE
10 JUST NOT EXACTLY WHAT THEY ARE.

11 A CASE IN POINT, NOT TOO LONG AGO IT
12 HAPPENED TO MYSELF: IT WAS A FEMALE POLICE OFFICER, I MEAN
13 SHE REALLY RAKED ME ACROSS THE COALS AND I WAS TRYING TO
14 RESPECT HER. SO FINALLY I CALLED HER A BULLDAGGER; AND I
15 GOT LOCKED UP FOR CALLING HER A BULLDAGGER FOR ALMOST TWO
16 DAYS BEFORE THEY GOT ME OUT.

17 AND WHEN THE RECORD CAME OUT IT IS NOT ON
18 THE RECORD WHAT SHE DID -- I MEAN, MY SIDE OF THE STORY IS
19 NOT ON THE RECORD. THE ONLY SIDE OF THE STORY THAT'S ON THE
20 RECORD IS WHY I WAS LOCKED UP, IS WHY I WAS LOCKED UP.

21 I CAN'T GET THAT KIND OF PROOF FOR YOU. I
22 DON'T HAVE ANYTHING AT THIS TIME, REPRESENTATIVE RICHARDSON,
23 WHERE THEY COVER UP. I KNOW THAT THEY COVER UP, BUT TO PROVE
24 IT, IT'S LIKE FINDING A NEEDLE IN THE HAYSTACK.

25 REPRESENTATIVE RICHARDSON: THANK YOU.

1 A. I WISH I COULD HELP YOU.

2 CHAIRMAN RHODES: THANK YOU, REPRESENTATIVE
3 RICHARDSON.

4 REPRESENTATIVE WILLIAMS.

5 REPRESENTATIVE WILLIAMS:

6 Q. MR. STREET, YOU SAID A LOT OF THINGS THAT
7 REFLECTED ON A LOT OF THE TESTIMONY WE HAVE.

8 I DON'T SHARE THE FRUSTRATION THAT SOME OF
9 THE OTHER MEMBERS OF THE COMMITTEE SHARE. WE ALWAYS ASK YOU
10 ALL, TALKING ABOUT PEOPLE WHO TESTIFY, WHAT SHALL WE DO?
11 WELL, WE ARE THE EXPERTS, WE ARE THE LEGISLATORS. PEOPLE
12 HAVE SAID AND WE HAVE SAID IF YOU ARE TALKING ABOUT THE
13 MAYOR, WHOEVER, IT IS A MATTER OF ATTITUDE.

14 TWO POINTS ON THAT: RECENTLY IN THE NEW
15 CODE THERE WAS A LAW PASSED WHERE IF A CITIZEN WAS ACCUSED OF
16 ASSAULT ON A POLICEMAN, WAS ACCUSED OF ASSAULT AND IF
17 HAPPENED TO BE A POLICEMAN MAKING AN ARREST, THAT BECOMES A
18 FELONY. IF IT IS YOU OR ME, IT IS A MISDEMEANOR. THAT WAS
19 PUT IN THERE BY US, THE LEGISLATORS, TO DETER PEOPLE FROM
20 ASSAULTING POLICEMEN. ASIDE FROM THE FACT THAT I THINK IT IS
21 EQUAL IF I GET ATTACKED BY A CITIZEN IT'S THE SAME IF -- WHAT
22 IF THEY PUT IN IF YOU ATTACK A LEGISLATOR.

23 BUT IF WE CAN DETER BY LAW CITIZENS, WHY
24 CAN'T WE DETER BY LAW POLICEMEN?

25 IF A POLICEMAN IS CHARGED WITH ASSAULT ON A

1 CITIZEN, THAT IS REALLY BAD. THAT IS WORSE BECAUSE HE IS THE
2 OFFICER OF THE LAW. AND I SAY TO YOU THAT THERE ARE A LOT OF
3 OTHER AREAS OF THE LAW WHERE WE HAVE NEVER THOUGHT ABOUT
4 PROVIDING DETERRENTS FOR POLICEMEN COMMITTING WHAT WE
5 DESIGNATE AS CRIMES.

6 I BELIEVE THE PROBLEM WE TALKED ABOUT, WE
7 KEEP ASKING WHAT WE CAN DO TO CHANGE ATTITUDES. THE CITIZENS
8 HAVE SAID, "THE POLICEMEN DON'T ENFORCE THE LAW WHEN
9 POLICEMEN COMMIT CRIMES."

10 IT IS UP TO THE LEGISLATURE, I BELIEVE, TO
11 PASS LAWS OR ANYTHING ELSE TO MAKE SURE THAT POLICEMEN
12 ENFORCE THE LAW ON POLICEMEN. AND IF POLICEMEN OR OTHER
13 OFFICIALS DON'T ENFORCE THE LAW BECAUSE IT IS POLICEMEN, THEN
14 WE SHOULD IMPOSE A CRIMINAL PENALTY, THE SAME DETERRENTS FOR
15 CRIME.

16 DO YOU AGREE WITH THAT?

17 A. YES, I AGREE WITH THAT, BUT MY UNDERSTANDING
18 OF REPRESENTATIVE HUTCHINSON AND REPRESENTATIVE RHODES WAS
19 NOT NECESSARILY THAT THE DETERRENTS AREN'T THERE, IT IS THE
20 IMPLEMENTATION OF THE DETERRENTS, OF THE LAWS.

21 Q. THEY HAVE SAID TO YOU THE DETERRENTS ARE
22 THERE.

23 A. OKAY.

24 Q. I HAVE SAID TO YOU THE DETERRENTS ARE NOT
25 THERE FOR POLICEMEN.

1 A. OKAY.

2 Q. THERE ARE LAWS THAT COVER CRIME IN GENERAL
3 FOR ANYBODY.

4 CHAIRMAN RHODES: THAT IS WHAT WE MEAN.

5 REPRESENTATIVE WILLIAMS:

6 Q. THERE IS NO LAW THAT I KNOW ABOUT THAT SAYS
7 IF YOU ARE A POLICEMAN AND DO SOMETHING, THERE IS A DETERRENT
8 FOR YOU, THE SAME AS JUST RECENTLY WE PASSED A NEW CODE THAT
9 SAYS IF A CITIZEN DOES THAT TO A POLICEMAN -- BECAUSE WE
10 WANTED TO DETER CRIMES AGAINST POLICEMEN.

11 CHAIRMAN RHODES: OFFICIAL OPPRESSION IS A
12 CRIME.

13 A. IF A POLICEMAN DOES IT, IT IS NO CRIME?
14 THERE IS NO DETERRENT? THAT LAW IS NOT APPLICABLE TO
15 POLICEMEN?

16 REPRESENTATIVE HUTCHINSON: SURE, IT IS.

17 REPRESENTATIVE WILLIAMS: PARDON ME?

18 REPRESENTATIVE HUTCHINSON: SURE, IT IS.

19 REPRESENTATIVE WILLIAMS:

20 Q. THERE IS NO LAW WHICH SAYS -- WHEN YOU MAKE
21 A DISCRIMINATION AND SAY, 'CITIZEN, IF YOU ATTACK MILTON
22 STREET, IT IS A MISDEMEANOR.'

23 A. RIGHT.

24 Q. 'IF YOU ATTACK JOE O'NEILL, IT IS A FELONY.'

25 A. RIGHT.

1 Q. I AM SUGGESTING IF WE ARE TALKING ABOUT A
2 SERIOUS EMERGENCY PROBLEM, POLICEMEN ATTACKING CITIZENS, WHY
3 CAN'T WE SAY WHEN A PERSON WHO HAS THE POWER ATTACKS YOU,
4 THAT THAT IS A FELONY? A DETERRENT TO THE POLICE OFFICER,
5 'LOOK, BUDDY, YOU CAN GET IN TROUBLE FOR THAT.'

6 NOW, THAT IS JUST ONE THING. I AM
7 SUGGESTING TO YOU IF WE LOOK AT ALL OUR LAWS WE HAVE NOT
8 RECOGNIZED THE PROBLEM OF POLICE INCIDENTS, NEVER.

9 DO YOU BELIEVE IF WE ARE HONEST AND SERIOUS
10 AND IF WE START TO RECOGNIZE THAT THERE IS A PROBLEM, THAT WE
11 CAN THINK OF LAWS THAT MIGHT FIT FAIRLY AS A DETERRENT FOR
12 THE POLICE OFFICER?

13 A. OH, NO QUESTION ABOUT IT. I THINK THERE ARE
14 LAWS. I THINK YOU CAN COME UP WITH THEM. I THINK YOU HAVE
15 THE ABILITY TO COME UP WITH THEM. I THINK THE CONCERN THAT I
16 WAS PICKING UP FROM REPRESENTATIVE RICHARDSON WAS THE FACT
17 THAT DURING THE HIATUS PERIOD, WHICH IS GOING TO TAKE A
18 WHOLE YEAR OR SO TO IMPLEMENT THOSE LAWS, WHAT DO WE DO TO
19 KEEP THE VOLCANO FROM ERUPTING DURING THAT PERIOD? I DID NOT
20 --

21 Q. I THINK YOU MISSED SOMETHING.

22 A. OKAY.

23 Q. I THINK THE QUESTION --

24 A. I UNDERSTAND. GO AHEAD.

25 Q. EVERYBODY IS CONCERNED ABOUT IT AND YOU ALL

1 HAVE CAUSED US TO THINK WE HAVE MISSED SOMETHING. WE HAVE
2 SAID EVEN IF WE PASSED A LAW TOMORROW, THE LAWS ARE ON THE
3 BOOK. WHAT CAN WE DO?

4 REPRESENTATIVE RHODES SAID EVEN ASIDE FROM
5 THAT, IT'S A WHOLE YEAR HIATUS. I HAPPEN TO THINK IF WE ARE
6 TALKING ABOUT AN EMERGENCY SITUATION, THEN YOU DEAL WITH AN
7 EMERGENCY SITUATION IN AN EMERGENCY WAY. LIKE YOU SAID, YOU
8 SIT DOWN FOR A WEEK AND YOU COME UP WITH AN IDEA, WHATEVER IT
9 IS.

10 A. I AGREE.

11 Q. WE SHOULDN'T EXPECT ONE PERSON TO HAVE THE
12 ANSWER IMMEDIATELY.

13 A. I AGREE.

14 Q. DO YOU ALSO THINK THAT IF THIS COMMITTEE,
15 BASED ON THE QUALITY OF THE TESTIMONY YOU GAVE, THE LADY
16 GAVE, THAT EVERYBODY ELSE GAVE, THAT THERE IS A SERIOUS
17 EMERGENCY KIND OF PROBLEM WHERE THERE IS UNRESTRAINED POWER
18 IN THE HANDS OF POLICEMEN WHO USE IT AT WILL -- AND THAT'S
19 BAD IN AMERICA -- THEN DO YOU BELIEVE THAT IT IS INCUMBENT ON
20 US, THE LEGISLATURE, TO ACT LIKE WE RECOGNIZE THAT --

21 A. ABSOLUTELY.

22 Q. -- WHERE YOU SHOULD SAY THAT, INCLUDING
23 GOING BACK TO OUR COLLEAGUES WHO HAVE NOT HEARD THIS
24 TESTIMONY IN ANY FASHION, IN A UNIFIED FASHION, THAT THE
25 PROBLEM IS JUST LIKE THE CITIZENS HAVE TOLD US TO BE?

1 A. ABSOLUTELY, REPRESENTATIVE WILLIAMS.

2 Q. DO YOU THINK THAT WOULD MAKE A DIFFERENCE,
3 RATHER THAN JUST --

4 A. I THINK IT WOULD MAKE A DIFFERENCE NOT ONLY
5 NOW; I THINK, REPRESENTATIVE WILLIAMS, NOW THAT YOU HAVE
6 HEARD THIS TESTIMONY YOU HAVE ACCEPTED THE RESPONSIBILITY TO
7 TRY TO NIP THIS THING IN THE BUD, OR STOP THIS VOLCANO BEFORE
8 IT ERUPTS. AND IF YOU CANNOT DO THAT, AND YOU ARE SINCERE AS
9 I BELIEVE YOU ARE, THEN THERE HAS GOT TO BE SOME PROBLEM
10 WITHIN YOURSELVES AS INDIVIDUALS WHO HAVE SOME OPPORTUNITY TO
11 NIP A PROBLEM IN THE BUD AND YOU FAILED.

12 I DON'T THINK YOU CAN AFFORD TO FAIL. I
13 THINK THE ATTITUDE OF THE REPRESENTATIVES HERE SHOULD BE THAT
14 WE CANNOT FAIL. LIVES ARE AT STAKE. THIS IS A SERIOUS
15 SITUATION; AND THAT THEY SHOULD DO EXACTLY WHAT I THINK YOU
16 SUGGESTED AND GET BACK TO HARRISBURG, EVEN IF IT IS NECESSARY
17 TO GET TO IRVIS AND HAVE HIM CALL THE HOUSE BACK INTO SESSION
18 BEFORE SEPTEMBER 8TH OR 9TH, OR WHENEVER YOU ARE SUPPOSED TO
19 GO BACK.

20 IF YOU ARE CONVINCED BY THESE HEARINGS THAT
21 THE PROBLEM IS THAT SERIOUS AND IS OF SUCH A MAGNITUDE THAT
22 WE HAVE TO DO THIS TO SAVE LIVES, THEN I THINK THAT IS WHAT
23 SHOULD BE DONE. AND I THINK IT IS THAT SERIOUS.

24 REPRESENTATIVE HUTCHINSON: PARDON ME, WHAT DO
25 WE DO IF WE GO BACK?

1 REPRESENTATIVE WILLIAMS: ARE YOU GOING TO TAKE
2 ALL OF MY TIME?

3 REPRESENTATIVE HUTCHINSON: I AM SORRY.

4 CHAIRMAN RHODES: LET'S BE BRIEF.

5 REPRESENTATIVE WILLIAMS:

6 Q. WHAT I AM TRYING TO PURSUE, RATHER THAN JUST
7 BEING BRIEF, IS PROBABLY THE MOST IMPORTANT ASPECT OF OUR
8 HEARINGS AND THAT IS THAT WE ASK THE CITIZENS WHAT THEY WANT
9 AND WE TALK ABOUT WE CAN'T LEGISLATE ATTITUDES.

10 I DON'T AGREE WITH THAT. I THINK -- AND I
11 AM ASKING YOU IF YOU AGREE -- WHEN WE GET SERIOUS PROBLEMS, A
12 FLOOD IN JOHNSTOWN OR WHETHER --

13 A. ABSOLUTELY; THAT IS WHAT I WAS ALLUDING TO,
14 RIGHT.

15 Q. ANYTHING, THE LEGISLATURE ALWAYS -- NOT
16 ALWAYS, BUT PROVIDE SOME LEADERSHIP ON THE PROBLEM. WE JUST
17 DON'T THINK OF LEGISLATION.

18 AND I AM WONDERING WHETHER WE HAVE FORGOTTEN
19 THAT, AND DO YOU BELIEVE THAT A LEGISLATIVE BODY LIKE THIS
20 CAN PROVIDE THE LEADERSHIP TO CHANGE THE TONE NOT ONLY IN
21 LEGISLATION, BUT IN OTHER WAYS THAT WILL INFLUENCE WHAT
22 HAPPENS LOCALLY?

23 A. NO QUESTION. THAT IS THE JOB OF THE
24 LEGISLATURE UP THERE AT HARRISBURG. I THINK YOU HAVE THE
25 POWER. I THINK YOU CAN COME UP WITH LAWS.

1 I DON'T HAVE THE LAWS, REPRESENTATIVE
2 HUTCHINSON. I CAN'T ANSWER WHAT IT IS YOU DO WHEN YOU GO
3 BACK. BUT I THINK WHEN YOU GO BACK, IF YOU GET YOUR MIND TO
4 THE GRINDSTONE AND STUDY LONG ENOUGH, YOU WILL COME UP WITH
5 SOMETHING TO DO.

6 Q. LET ME ASK YOU TWO SPECIFIC THINGS ALONG
7 THAT LINE. WE HAVE HAD A LOT OF TESTIMONY BY CITIZENS WHO
8 HAVE THESE PROBLEMS. BY THE TIME THEY GET TO COURT, THEY SAY
9 THE POLICEMEN TOLD IT DIFFERENTLY IN COURT, AND IN MANY CASES
10 THEY WERE FOUND NOT GUILTY. THEY BASICALLY SAY THE POLICEMAN
11 IS LYING IN COURT. AND IF THAT IS SO IN ALL THESE
12 SITUATIONS, AND SOMEONE IS MESSING UP OUR SYSTEM -- NO
13 CITIZEN, LET ALONE AN OFFICER OF LAW, SHOULD GO AND LIE ON
14 SOMEBODY ELSE JUST TO PROVE A CASE; IS THAT RIGHT?

15 A. I AGREE.

16 Q. NOW WE HAVE A LAW WHICH SAYS PERJURY, BUT
17 NEVER HAVE WE HAD ANYONE GO IN AND COMPARE THOSE RECORDS YOU
18 ARE TALKING ABOUT, NO ONE HAS EVER DONE THAT.

19 A. THAT'S TRUE.

20 Q. SO NOBODY HAS ANY FEAR THAT ANYONE IS GOING
21 TO FIND OUT ANY LIES THAT WERE COMMITTED IN THESE CASES. I
22 AM SUGGESTING MAYBE SOMETHING WILL BE A DETERRENT, THIS
23 COMMITTEE, OR SOMETHING CONTINUING WHERE THESE CITIZENS CAN
24 SAY, 'WELL, CHECK OUT THE RECORDS, AND IF HAS TO BE A LIE,'
25 THAT MAYBE PEOPLE WHO DO THAT -- IT MIGHT BE POLICE OFFICERS

1 -- FEEL THAT THEY CAN'T GO IN AND FREELY LIE AND TELL A STORY
2 LIKE THAT.

3 MAYBE THERE IS SOME LEGISLATIVE AND
4 INVESTIGATIVE TOOL THAT WOULD MAKE POLICEMEN HESITATE TO LIE
5 BECAUSE, AS IT STANDS NOW, PEOPLE HAVE SAID THEY DIDN'T MIND
6 LYING BECAUSE THEY DIDN'T HAVE TO WORRY ABOUT IT.

7 DO YOU THINK THAT IS AN AREA IN WHICH SOME
8 LEGISLATION CAN HELP CLEAR UP THE COURT SYSTEM?

9 A. I THINK THERE IS A NUMBER OF THINGS. I
10 THINK THAT IS ONE OF THEM, AND YOUR FIRST SUGGESTION IS ONE
11 OF THEM --

12 Q. AND IF WE TALK FOR A WHOLE WEEK, WE CAN FIND
13 A WHOLE LOT OF THEM?

14 A. ABSOLUTELY. AND I WOULD SUGGEST TO YOU IF
15 YOU ALL LEAVE HERE TONIGHT AND A CRISIS BREAKS OUT IN THE
16 STREET BETWEEN CITIZENS AND POLICEMEN, THAT SOMEBODY IS GOING
17 TO DO SOMETHING TO GET THAT CRISIS TAKEN CARE OF.

18 CHAIRMAN RHODES: THANK YOU VERY MUCH, MR.
19 STREET.

20 A. OKAY.

21 CHAIRMAN RHODES: WE HOPE TO SEE YOU AT THE
22 SWEARING-IN IN JANUARY.

23 (WITNESS EXCUSED.)

24 CHAIRMAN RHODES: THE NEXT WITNESS IS MR.
25 LINELL BANKS. ARE YOU HERE, SIR?

1 THANK YOU FOR BEING SO PATIENT.

2 MR. BANKS, DO YOU HAVE IN YOUR POSSESSION A
3 SUBPOENA TO APPEAR BEFORE THIS SUBCOMMITTEE THIS EVENING?

4 MR. BANKS: YES, I DO.

5 CHAIRMAN RHODES: WHY DON'T YOU SIT DOWN AND
6 MAKE YOURSELF COMFORTABLE.

7 ---

8 LINELL BANKS, JR., SWORN.

9 CHAIRMAN RHODES: WILL YOU STATE YOUR NAME,
10 SPELL YOUR NAME AND THEN GIVE YOUR ADDRESS FOR THE RECORD.

11 A. MY NAME IS LINELL BANKS, L-I-N-E-L-L,
12 B-A-N-K-S. MY ADDRESS IS 12306 DORAL GARDENS, THAT IS IN
13 CORNWELLS HEIGHTS, PENNSYLVANIA.

14 CHAIRMAN RHODES: MR. BANKS, YOU MAY PROCEED
15 AND TELL US YOUR ACCOUNT IN YOUR OWN WORDS AS YOU WISH.

16 A. OKAY. WELL, THE INCIDENT OCCURRED ON MAY
17 4TH, '74. I HAD MY CO-WORKER'S CAR, RIGHT, AND I HAD A FLAT.
18 SO I WAS ON 5TH AND ALLEGHENY. I WAS COMING DOWN I-95 AND I
19 WENT TO 5TH AND ALLEGHENY TO GET THE FLAT REPAIRED. AND WHEN
20 I WENT IN THE GAS STATION --

21 CHAIRMAN RHODES: MR. BANKS, YOU OUGHT TO SPEAK
22 LOUDER.

23 A. WELL, WHEN I WENT INTO THE GAS STATION TO
24 GET THE FLAT REPAIRED, THE GENTLEMAN THAT OWNED THE GAS
25 STATION, HE GAVE ME A LONG GIFT OF GAS AND WANTED TO SELL ME

1 A NEW TIRE. I TOLD HIM I DIDN'T NEED A NEW TIRE, IT WASN'T
2 MINE, IT WAS MY CO-WORKER'S CAR THAT HE HAD LOANED ME TO GO
3 HOME.

4 SO ANYWAY, WE CAME TO SOME KIND OF
5 AGREEMENT, RIGHT; AND HE PUT AN INNERTUBE IN THE TIRE AND
6 ALL, AND I GAVE HIM \$10. BY THAT TIME, I HAD STAYED IN THE
7 GAS STATION FOR ABOUT AN HOUR OR SO.

8 BY THAT TIME I WAS FED UP. I WAS ON MY WAY
9 BACK HOME ON 95, GOING DOWN 95; AND WHEN I WAS 20 MILES FROM
10 HOME OR SO THE TIRE JUST ABOUT CAME OFF. SO I PULLED ON THE
11 SIDE, RIGHT, TO SEE IF I HAD ANOTHER FLAT. I DIDN'T SEE A
12 FLAT OR ANYTHING. SO I PULLED OFF ON WOODHAVEN, INTO AN ARCO
13 STATION THERE.

14 REPRESENTATIVE WHITE: WOODHAVEN ROAD?

15 A. RIGHT, WOODHAVEN ROAD. IT WAS AN ARCO
16 STATION WAS CLOSED. BY THAT TIME, AN OFFICER CAME UP AND
17 ASKED ME WHAT WAS THE PROBLEM, AND I EXPLAINED IT TO HIM. SO
18 HE BROUGHT OUT A FLASHLIGHT AND I LOOKED AND I SEEN THAT THE
19 WHOLE RIM AND EVERYTHING WAS BENT, RIGHT. SO I COULDN'T
20 DRIVE THE THING, YOU KNOW.

21 SO AT THAT TIME I PROCEEDED -- THE NEXT DAY
22 WAS SUNDAY -- TO GET THE TIRE FIXED. ME AND A MECHANIC I
23 KNEW, WE WENT TO A JUNKYARD AND GOT THE PARTS AND STUFF AND
24 ME AND HIM FIXED IT.

25 SO MONDAY, ON MY WAY FROM WORK I STOPPED

1 INTO THE GAS STATION, YOU KNOW, TO EXPLAIN TO THE GUY WHAT
2 HAD HAPPENED. I SAID, "HEY, YOU PUT MY LIFE IN JEOPARDY, YOU
3 KNOW." HE SAID, "WHY DIDN'T YOU CALL ME; I WOULD HAVE COME."
4 I SAID, "YOU WOULDN'T HAVE COME ALL THE WAY OUT THERE JUST TO
5 PICK UP A CAR AND FIX A FLAT AND GIVE ME A NEW RIM AND
6 EVERYTHING." HE SAID, "I WOULD HAVE." I SAID, "NO, YOU
7 WOULDN'T HAVE."

8 I SAID, "I COMPLETED THE JOB MYSELF. THE
9 ONLY THING I WANT IS TO BE REIMBURSED FOR THE PARTS. AS FAR
10 AS THE LABOR, I DON'T EVEN WANT THAT." SO I SHOWED HIM
11 RECEIPTS AND STUFF THAT I HAD FOR THE REPAIRS, AND I HAD THE
12 RIM AND EVERYTHING IN THE CAR.

13 THEN HE PROCEEDED AND SAID, "WELL, I CAN'T
14 DO ANYTHING ABOUT IT, YOU KNOW." I SAID, "WELL, THE ONLY
15 THING I AM ASKING YOU TO DO IS JUST REFUND ME FOR WHAT I PUT
16 OUT." I SAID, "I AM NOT ASKING YOU FOR NO MORE OR NO LESS."

17 SO HE WENT ON AND ON, AND KEPT TALKING. I
18 SAID, "LISTEN, I DON'T HAVE MUCH TIME BECAUSE I HAVE TO GO
19 HOME." I SAID, "YOU THINK ON IT AND I WILL COME BACK DOWN
20 AND THEN MAYBE YOU MAY DECIDE TO PAY ME FOR THE DAMAGES."

21 SO I WENT DOWN THE NEXT DAY AND HE WASN'T
22 THERE. AS A MATTER OF FACT I COULDN'T CATCH HIM ALL WEEK.
23 EVERY TIME I WENT THERE, HE WASN'T THERE. ONE OF THE WORKERS
24 THERE SAID, "HE IS NOT AROUND." SO I SAID OKAY.

25 ON SATURDAY -- NO, IT WAS A FRIDAY NIGHT,

1 RIGHT, AFTER I GOT OFF OF WORK, I WENT BY THERE AND HE WASN'T
2 THERE. SO I BELIEVE IT WAS A SATURDAY WHEN I WENT DOWN THERE
3 AND THEN HE WAS THERE. SO ME AND HIM WAS TALKING. SO HE
4 SAID, "WELL, I DON'T KNOW," YOU KNOW.

5 THEN BY THAT TIME HE HAD WALKED AWAY, RIGHT.
6 HE SAID, "I WILL BE RIGHT BACK." SO I AM WAITING FOR HIM, I
7 AM IN THE PARKING LOT WAITING FOR HIM, RIGHT. THERE WAS A
8 TRUCK AND MY CAR WAS ALONG BESIDE THE TRUCK. SO I AM WAITING
9 FOR HIM TO RETURN.

10 BY THAT TIME THIS OFFICER COMES UP, YOU
11 KNOW. SO I LOOK AT HIM, "WHAT IS THE PROBLEM?" SO HE SAID,
12 "I AM TRYING TO FIND OUT." SO I EXPLAINED -- PROCEEDED TO
13 EXPLAIN TO HIM WHAT WAS GOING DOWN. SO HE SEEMED TO BE CALM
14 AND COLLECTED. THEN BY THE TIME THE OWNER OF THE GAS STATION
15 CAME UP THEN, YOU KNOW, HE PULLED HIM TO THE SIDE; BY THE
16 TIME HE CAME BACK TO ME, HIS WHOLE ATTITUDE CHANGED.

17 SO THEN HE PROCEEDED LIKE TO PUSH ME. I
18 SAID, "HEY, WAIT A MINUTE, BUDDY, WHAT IS THIS FOR?" SO HE
19 SAID, "SHUT UP." I SAID, "SHUT UP, SHUT UP FOR WHAT? I
20 HAVEN'T DONE ANYTHING."

21 SO BY THAT TIME HIS BUDDY WAS WITH HIM. HE
22 PROCEEDED AROUND IN BACK OF ME AND HE GRABBED ME BY THE NECK,
23 AND BOTH OF THEM, YOU KNOW, STARTED HASSLING ME THEN.

24 SO I TOLD THEM: "LISTEN, I AM NOT GOING TO
25 FIGHT YOU. I AM GOING TO TELL YOU THAT RIGHT NOW. I KNOW

1 WHERE YOU ARE COMING FROM. IF I TRY TO FIGHT YOU, YOU AKE
2 GOING TO TRY TO SHOOT ME. YOU CAN FORGET THAT, I'M NOT
3 FIGHTING YOU. IF YOU WANT TO GO AHEAD AND BEAT ME UP, DO
4 WHATEVER YOU WANT TO DO, YOU CAN PROCEED, BECAUSE I WILL TAKE
5 ACTION LATER ON.*

6 SO BY THAT TIME THEY WERE JUMPING ON ME, I
7 GUESS THEY HAD CALLED IN -- OR THE GUY, THE OWNER, CALLED IN
8 AND IT WAS ABOUT 15 CARS THERE, AND ALL OF THEM CAME OUT AND
9 JUST RUSHED AT ME AND STARTED KICKING ME AND BEATING ON ME
10 AND THREW ME DOWN ON THE GROUND.

11 REPRESENTATIVE WILLIAMS: WHAT DISTRICT WAS
12 THAT, DO YOU KNOW?

13 A. I THINK IT WAS THE 6TH DISTRICT IF I AM NOT
14 MISTAKEN.

15 REPRESENTATIVE WILLIAMS: GO AHEAD.

16 A. THEY STARTED BEATING ON ME. AND ONE OF THEM
17 PULLED OUT A BLACKJACK, RIGHT, AND HIT ME UP ASIDE MY HEAD,
18 THE RIGHT SIDE OF MY HEAD WITH THE BLACKJACK, AND MY EYE WAS
19 SWOLLEN. WHEN THEY HAD ME FACE DOWN, THE SARGEANT, HE
20 JUMPED IN MY BACK WITH HIS KNEE.

21 REPRESENTATIVE WILLIAMS: SERGEANT?

22 A. IN THE SMALL OF MY BACK WITH HIS KNEE.

23 REPRESENTATIVE RICHARDSON: DO YOU HAVE HIS
24 NAME?

25 A. I DON'T HAVE HIS NAME. I CAN FIND OUT HIS

1 NAME, THAT'S NO PROBLEM, BECAUSE I HAVE --

2 REPRESENTATIVE RICHARDSON: SUBMIT IT FOR THE
3 RECORD FOR US.

4 A. -- ALL OF THE PAPERWORK HERE

5 CHAIRMAN RHODES: DO YOU HAVE A CASE PENDING,
6 MR. BANKS?

7 A. YES, WITH THE CIVIL LAWYERS COMMITTEE.

8 CHAIRMAN RHODES: WE CAN LOOK AT YOUR PAPERS
9 LATER.

10 A. RIGHT.

11 CHAIRMAN RHODES: GO AHEAD.

12 A. SO BY THAT TIME, AFTER THEY GOT THROUGH
13 BEATING ON ME, SOMEONE WAS TRYING TO GO IN MY POCKET BECAUSE
14 I DO CONSTRUCTION WORK, I HAD ABOUT 200 AND SOME DOLLARS,
15 CLOSE TO \$300 IN MY POCKET. HE WAS TRYING TO GO IN MY
16 POCKET. I SAID, 'HEY, BUDDY, WHAT ARE YOU TRYING TO GO IN MY
17 POCKET FOR?' AND YOU KNOW THEY HAD THE CUFFS ON ME. SO AS
18 I MOVED --

19 REPRESENTATIVE WHITE: YOU WERE HANDCUFFED?

20 A. YES, I WAS HANDCUFFED.

21 SO I HAD MOVED TO THE SIDE. BY THE TIME I
22 DID THAT, HE JUST RIPPED MY PANTS JUST ABOUT OFF ME, YOU
23 KNOW, AND MY SHIRT AND EVERYTHING.

24 SO BY THAT TIME, THEY SAID, 'PUT HIM IN THE
25 PADDY WAGON.' SO THEY TOOK ME AND AND KICKED ME ALL IN THE

1 PADDY WAGON.

2 REPRESENTATIVE WILLIAMS: INSIDE THE PADDY
3 WAGON?

4 A. RIGHT, THEY KICKED ME INSIDE THE PADDY
5 WAGON.

6 REPRESENTATIVE WILLIAMS: HOW MANY WAS IN THE
7 PADDY WAGON?

8 A. THERE WAS NO ONE IN THE BACK WITH ME. IT
9 WAS TWO IN THE FRONT. THE REST OF THEM GOT IN THEIR CARS,
10 AND I GUESS THEY WENT ABOUT THEIR BUSINESS. IT WAS AT LEAST
11 15 OF THEM THERE, 15 OR 20.

12 REPRESENTATIVE WHITE: IN OTHER WORDS, WHILE
13 YOU WERE GETTING IN --

14 A. GETTING IN THE PADDY WAGON, THEY WAS KICKING
15 ME AND BEATING ME WHILE I WAS GETTING IN THE PADDY WAGON.

16 REPRESENTATIVE RICHARDSON: COULD YOU HOLD YOUR
17 POINT?

18 YOU SAID YOUR MONEY WAS IN YOUR BACK POCKET
19 AND YOU TURNED --

20 A. NO, MY MONEY WAS IN MY SIDE POCKET. I HAD A
21 PAIR OF PANTS WITH THE POCKETS, SPLITS AT THE TOP, AND THEY
22 WERE TRYING TO GET TO MY MONEY. BUT THEY COULDN'T GET TO MY
23 MONEY BECAUSE, YOU KNOW, THE WAY I HAD TURNED MYSELF. SO ONE
24 OF THEM JUST TRIED TO SNATCH MY WHOLE POCKET OFF ME.

25 IT WAS ABOUT TWO OR THREE BLACK OFFICERS

1 THERE, AND I GUESS THAT WAS THE ONLY THING ACTUALLY THAT
2 REALLY SAVED ME BECAUSE THEY GRABBED ME AND PUSHED ME ON THE
3 SIDE AND SAID, YOU KNOW, "JUST BE COOL," YOU KNOW, AND "SHUT
4 UP." I SAID, "SHUT UP FOR WHAT?" I SAID, "I HAVEN'T DONE
5 ANYTHING." THEY SAID, "COME ON, IT WILL MAKE IT EASIER ON
6 YOU." I SAID, "EASIER ON MYSELF?" THEY JUMPED ON ME FOR
7 NOTHING."

8 I SAID, "THEY JUMPED ON ME ON ACCOUNT OF
9 THIS GUY THAT OWNS THIS ARCO STATION." HE CALLED THEM.
10 EVIDENTLY HE HAD TO HAVE A HOOKUP WITH THEM. HE CALLED THEM
11 AND THEY CAME DOWN OUT OF NOWHERE AND JUST STARTED BEATING ON
12 ME FOR NOTHING."

13 REPRESENTATIVE WILLIAMS: DID THE BLACK
14 OFFICERS HIT YOU?

15 A. WELL, I COULDN'T REALLY SAY. JUST LIKE I
16 SAID, I WAS FACE DOWN AT THE TIME. THE ONLY THING I SEEN WAS
17 A MOB AROUND ME. EVERYBODY WAS KICKING AND BEATING. I GUESS
18 EVERYBODY GOT INFO THAT, YOU KNOW. SO I COULDN'T REALLY SAY
19 WHO DID WHAT, YOU KNOW, SO FAR AS THAT.

20 REPRESENTATIVE WILLIAMS: THEY INTERCEDED TO
21 MAKE SURE THAT YOU DIDN'T COMPLAIN?

22 A. RIGHT. THAT IS THE ONLY THING THEY DID.

23 REPRESENTATIVE WILLIAMS: GO AHEAD.

24 A. SO AFTER THEY GOT ME IN THE PADDY WAGON AND
25 EVERYTHING THEY TOOK ME TO, I BELIEVE IT WAS, THE 6TH

1 DISTRICT AND THEY TOOK ME TO THE DESK OFFICER. THEY TOOK ME
2 TO THE DESK OFFICER AND HE WAS ASKING ME QUESTIONS AND
3 EVERYTHING. HE SAID, "DID THEY READ YOU YOUR RIGHTS?" I
4 SAID, "WHAT RIGHTS? THEY DIDN'T READ ME ANYTHING. THE ONLY
5 THING THEY DID WAS BEAT ON ME AND BROUGHT ME DOWN HERE.
6 FURTHERMORE, I AM ENTITLED TO A CALL."

7 HE SAID, "YOU CAN'T MAKE YOUR CALL NOW. YOU
8 WILL MAKE IT LATER. I HAVE GOT TO GET THIS INFORMATION." SO
9 HE PROCEEDED TAKING DOWN THE INFORMATION HE HAD TO TAKE DOWN.

10 AND AFTER THAT I MADE A CALL AND I CALLED A
11 GUY AT CETA, BECAUSE I WAS A MEMBER OF CETA AT THE TIME. I
12 CALLED HIM BECAUSE HE LIVED UP IN THE NORTHEAST; AND HE HAD
13 CAME DOWN LATER ON BECAUSE HE COULDN'T BELIEVE IT.

14 HE SAID, "WHAT, YOU?" I SAID, "YES, I AM
15 DOWN HERE." HE SAID, "I DON'T BELIEVE IT." SO AFTER HE CAME
16 DOWN AND SEEN THE CONDITION I WAS IN, HE SAID, "I CAN'T
17 BELIEVE IT." HE ASKED ME WHY. AND I TOLD HIM. HE SAID, "I
18 STILL CAN'T BELIEVE IT." I SAID "RIGHT, IT HAPPENED HERE."
19 I SAID, "I COULDN'T BELIEVE IT EITHER." SO HE SAID, "WHAT
20 CAN I DO?" I SAID, "SEE IF YOU CAN GET SOMEBODY, YOU KNOW,
21 TO GET ME OUT OF HERE."

22 REPRESENTATIVE WILLIAMS: DID THEY CHARGE YOU
23 WITH ANY CRIMES?

24 A. YES, THEY CHARGED ME WITH ASSAULT AND
25 BATTERY, RESISTING ARREST.

1 CHAIRMAN RHODES: DISORDERLY CONDUCT?

2 A. YES; THEY JUST RAN IT DOWN, RAN THE WORKS
3 DOWN ON ME, YOU KNOW.

4 REPRESENTATIVE WILLIAMS: DID THEY CHARGE YOU
5 WITH TERRORISTIC THREATS?

6 A. I DON'T KNOW, THEY MIGHT HAVE. JUST LIKE I
7 SAY, THEY JUST RAN THE WHOLE BOOK DOWN ON ME. IN OTHER
8 WORDS, I AM A NUMBER ONE CRIMINAL.

9 CHAIRMAN RHODES:

10 Q. WERE YOU EVER CONVICTED OF ANY OF THOSE
11 OFFENSES?

12 A. NOT REALLY. WELL I WENT TO COURT, RIGHT.
13 IT WAS JUST LIKE A DROP IN THE BUCKET BECAUSE I WAS -- WHEN I
14 WENT INTO COURT I HAD GOT ONE LAWYER. I WENT TO COURT, I
15 DIDN'T REALLY NEED HIM BECAUSE HE WAS JUST SITTING THERE
16 LIKE A YO-YO ON A STRING.

17 THE JUDGE, YOU KNOW, HE WAS RUNNING DOWN THE
18 CASE, HOW IT WAS. AND I GOT ANGRY, AND I JUST SPOKE UP. I
19 SAID, 'DAMN IT, IF THIS IS ALL THE RESULTS I CAN GET OUT OF
20 IT, I DON'T NEED YOU,' AND I WALKED OUT OF THE COURT AND HE
21 CAME, 'WAIT A MINUTE,' HE CAME UP.

22 I SAID, 'NOW THAT WAS UNCALLED FOR. YOU ARE
23 JUST SITTING THERE LETTING HIM RUN I' DOWN LIKE THEY WANT TO.
24 YOU DIDN'T EVEN TELL MY SIDE OF THE STORY, HOW I' WENT
25 DOWN.' SO THEN HE SAID, YOU KNOW -- THEN HE' IS LOOKING FOR

1 SOME MONEY. I AM PAYING HIM MONEY OUT OF MY POCKET, MY
2 HARD-EARNED MONEY I HAD BEEN SPENT OUT IN THE SUN WORKING
3 FOR. SO I JUST DROPPED HIM.

4 I TOLD HIM: 'I WILL GET SOME ACTION
5 SOMEWHERE AND SOMEHOW BECAUSE IT IS GOING TO BE SOMETHING
6 DONE SOONER OR LATER ABOUT THIS. THIS IS UNCALLED FOR.'

7 SO AFTER THAT, THEY --

8 REPRESENTATIVE DUMAS: WHAT WAS THE OUTCOME OF
9 YOUR TRIAL?

10 CHAIRMAN RHODES:

11 Q. WERE YOU EVER CONVICTED OF ANYTHING ARISING
12 OUT OF THAT INCIDENT?

13 A. WELL, THE OUTCOME -- WELL, THEY DROPPED
14 EVERYTHING, SO FAR AS THAT. THEY LET ME OUT ON MY OWN
15 RECOGNIZANCE.

16 Q. DID YOU EVER GO TO TRIAL?

17 A. IT IS PENDING NOW, SO FAR AS THAT.

18 Q. THE CRIMINAL TRIAL IS PENDING?

19 A. WELL, THE CASE IS PENDING, NOT THE --

20 REPRESENTATIVE RICHARDSON: WHAT HAPPENED TO
21 THE CRIMINAL COMPLAINT?

22 A. THAT WAS DROPPED.

23 CHAIRMAN RHODES:

24 Q. ALL THAT WAS DROPPED?

25 A. DROPPED.

1 REPRESENTATIVE DUMAS: WERE YOU FOUND NOT
2 GUILTY?

3 CHAIRMAN RHODES: THEY WERE JUST DROPPED?

4 A. NOT FOUND NOT GUILTY OR ANYTHING. ALL THAT
5 WAS DROPPED.

6 REPRESENTATIVE WILLIAMS: WHERE WAS IT
7 DROPPED, THAT IS THE POINT; WAS IT THE A.R.D. PROGRAM?

8 A. RIGHT, RIGHT.

9 REPRESENTATIVE WILLIAMS: THE A.R.D.?

10 A. YES. THEY HAD ME IN THAT.

11 CHAIRMAN RHODES:

12 Q. YOU WERE IN THE A.R.D. PROGRAM AND YOU
13 SUCCESSFULLY WENT THROUGH IT?

14 A. RIGHT.

15 Q. NOW WHAT THERE IS PENDING IS YOUR CIVIL
16 DAMAGE SUIT AGAINST THE CITY?

17 A. YES.

18 Q. IS THERE ANYTHING MORE YOU WANT TO TELL US
19 ABOUT THE INCIDENT?

20 A. I ASKED THEM TO TAKE ME TO THE HOSPITAL,
21 RIGHT. THEY TOOK ME TO THE HOSPITAL, YOU KNOW; AND WHEN HE
22 TOOK ME THERE, THEY DIDN'T EVEN BOTHER ABOUT GIVING ME NO
23 KIND OF TREATMENT WHATSOEVER. IN OTHER WORDS, I AM BLACK,
24 'WE GET MILLIONS OF THEM ON THE WEEKEND. YOU ARE ALL RIGHT.
25 YOU CAN TAKE IT.' THAT WAS THAT.

1 REPRESENTATIVE RICHARDSON: WHAT HOSPITAL WERE
2 YOU IN?

3 A. I CAN'T RECALL THE NAME OF THE HOSPITAL. IT
4 IS NOT TOO FAR FROM THE 6TH DISTRICT.

5 CHAIRMAN RHODES:

6 Q. WHAT WERE THE EXTENT OF YOUR INJURIES AS YOU
7 EXPERIENCED IT?

8 A. WELL, MY BACK. AND I HAVE BACK PROBLEMS
9 RIGHT NOW, BECAUSE I AM NOT ABLE TO DO ANY CONSTRUCTION WORK
10 NOW.

11 Q. ON SECOND THOUGHT, SINCE YOU HAVE A CIVIL
12 CASE PENDING, I DON'T THINK I AM GOING TO ASK YOU ABOUT THE
13 EXTENT OF YOUR INJURIES.

14 IS THERE ANYTHING ELSE YOU WANT TO TELL THE
15 COMMITTEE?

16 (PAUSE.)

17 CHAIRMAN RHODES: ARE THERE ANY QUESTIONS,
18 REPRESENTATIVE COHEN?

19 REPRESENTATIVE COHEN: NO.

20 CHAIRMAN RHODES: REPRESENTATIVE DUMAS.

21 REPRESENTATIVE DUMAS:

22 Q. WHAT IS YOUR AGE, MR. BANKS?

23 A. I AM 29.

24 Q. TWENTY-NINE. WERE YOU EVER ARRESTED BEFORE
25 THIS PARTICULAR INCIDENT?

1 A. NEVER BEFORE.

2 Q. YOU NEVER HAD ANY ENCOUNTER WITH THE LAW?

3 A. NONE, WHATSOEVER.

4 Q. I DON'T WANT YOU TO JEOPARDIZE YOUR CIVIL
5 CASE, I WILL RESTRAIN FROM ASKING FURTHER QUESTIONS.

6 CHAIRMAN RHODES:

7 Q. WHAT IS YOUR LAWYER'S NAME?

8 A. MERCER TATE.

9 Q. SAY THAT AGAIN?

10 A. MERCER TATE.

11 Q. HOW DO YOU SPELL HIS LAST NAME?

12 A. T-A-T-E.

13 CHAIRMAN RHODES: OKAY, THANK YOU, SIR.

14 REPRESENTATIVE WHITE, DO YOU HAVE ANY
15 QUESTIONS?

16 REPRESENTATIVE WHITE: I HAVE NO QUESTIONS.

17 CHAIRMAN RHODES: REPRESENTATIVE HUTCHINSON.

18 REPRESENTATIVE HUTCHINSON: NO.

19 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON:

20 REPRESENTATIVE RICHARDSON: I HAVE NO

21 QUESTIONS.

22 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS.

23 REPRESENTATIVE WILLIAMS:

24 Q. MR. BANKS, WHEN YOU WERE PUT ON A.R.D., DID
25 YOUR LAWYER OR ANYBODY TELL YOU THE DISTRICT ATTORNEY HAD TO

1 CONSULT THE POLICEMEN BEFORE THEY DROPPED THE CASE? DID YOU
2 HEAR THAT ANYWHERE ALONG THE LINE?

3 A. NO, I DIDN'T.

4 Q. DID ANYONE TRY TO INFLUENCE YOU NOT TO BRING
5 ANY ACTION AGAINST THE POLICE IN EXCHANGE FOR YOU GOING INTO
6 THE A.R.D. PROGRAM?

7 A. WELL, I WILL TELL YOU WHAT, AFTER THIS
8 INCIDENT OCCURRED IT SEEMED AS THOUGH LIKE I WAS BEING LIKE
9 HASSLED, LIKE UNDERCOVER OR WHATEVER, I DON'T KNOW. LIKE
10 EVERY TIME I GOT READY TO GO SOMEWHERE, LIKE IT SEEMS AS
11 THOUGH I WAS BEING STOPPED BY A POLICEMAN OR SOMETHING.

12 BECAUSE LIKE WHEN MY WIFE WAS PREGNANT AT
13 THE TIME I WAS TAKING HER DOWN TO THE HOSPITAL, AND I HAD
14 BORROWED A FRIEND OF MINE'S CAR BECAUSE MY CAR WAS BROKE, AND
15 THE OFFICER STOPPED ME THEN.

16 Q. THE SAME DISTRICT?

17 A. THE SAME DISTRICT.

18 NO, THAT WAS UP IN THE NORTHEAST THEN. HE
19 STOPPED ME AND WANTED TO TAKE ME DOWN, AND WAS TELLING ME
20 THAT I LOOKING LIKE THIS CRIMINAL AND ALL.

21 Q. IF IT WAS A DIFFERENT DISTRICT, I DON'T
22 THINK IT WAS CONNECTED.

23 A. I DON'T KNOW. SO FAR AS I AM CONCERNED,
24 THEY ARE ALL TOGETHER.

25 Q. WE HAVE HEARD A LOT OF PEOPLE GET STOPPED,

1 YOU KNOW, MORE THAN ONCE.

2 A. YOU JUST DON'T GET STOPPED, YOU KNOW, JUST
3 BEING OUT ORDINARILY.

4 Q. OKAY. NOW, YOU DIDN'T COMMIT ANY CRIME AT
5 ALL?

6 A. NO.

7 Q. THEY CHARGED YOU WITH DISORDERLY CONDUCT,
8 RESISTING ARREST, ASSAULT AND BATTERY?

9 A. CORRECT.

10 Q. DID THEY CHARGE YOU WITH ASSAULT AND BATTERY
11 ON A POLICE OFFICER?

12 A. YES.

13 Q. THEY CHARGED YOU WITH ASSAULT AND BATTERY ON
14 A POLICE OFFICER?

15 A. RIGHT.

16 (PAUSE.)

17 CHAIRMAN RHODES: REPRESENTATIVE WILLIAMS, DO
18 YOU HAVE ANY OTHER QUESTIONS?

19 REPRESENTATIVE WILLIAMS:

20 Q. DID THEY EVER TELL YOU YOU WERE UNDER ARREST
21 BEFORE THEY STARTED?

22 A. NO, THEY DIDN'T. JUST LIKE I SAID, WHEN HE
23 CAME IN THERE, YOU KNOW, --

24 Q. THE ANSWER IS NO?

25 A. RIGHT, IT IS NO.

1 Q. YOU SAID AT SOME PLACE YOU WENT THERE WITH
2 YOUR LAWYER AND SOMEBODY GAVE A VERSION OF WHAT HAPPENED. DO
3 YOU KNOW WHERE THAT WAS? WAS IT IN COURT?

4 A. RIGHT, IT WAS A LITTLE COURT WHEN I WENT FOR
5 THE HEARING.

6 Q. FOR THE A.R.D. PROGRAM?

7 A. NO, THIS WAS BEFORE I GOT INTO THE A.R.D.
8 PROGRAM. I WENT FOR --

9 Q. WAS IT AT THE POLICE STATION?

10 A. NO, IT WAS IN A COURTHOUSE LINE I WENT FOR A
11 HEARING, AND THEN --

12 Q. WHERE WAS IT, IN PHILADELPHIA?

13 A. YES.

14 Q. WAS IT AT CITY HALL? DO YOU KNOW WHERE CITY
15 HALL IS?

16 A. RIGHT. NO IT WASN'T IN CITY HALL. IT WAS
17 IN ANOTHER PLACE.

18 Q. WAS IT AT 15TH AND MARKET, IN A BIG
19 BUILDING?

20 A. RIGHT. I THINK THAT IS WHERE IT WAS.

21 Q. DID THE POLICEMEN TESTIFY?

22 A. NO, THERE WAS NO POLICEMEN THERE AT ALL.

23 Q. OKAY. SO YOU ARE TALKING ABOUT THE VERSION
24 THAT WAS GIVEN CAME UP ON A PIECE OF PAPER?

25 A. YES.

1 Q. FROM WHAT THE POLICEMEN WROTE DOWN?

2 A. YES.

3 Q. AND DID THOSE PIECES OF PAPER, WERE THEY
4 LIES IN THERE?

5 A. YES, IT WAS, BECAUSE HE SAID I ASSAULTED
6 HIM. HOW COULD I ASSAULT HIM, AND I DIDN'T --

7 Q. LET ME SUGGEST TO YOU THAT PIECE OF PAPER
8 PROBABLY WAS THE COMPLAINT THAT SOME OFFICER SWORE TO --

9 A. RIGHT.

10 Q. -- AS TO WHAT YOU DID.

11 A. RIGHT.

12 Q. AND YOU ARE SAYING THAT WHAT WAS SWORN TO
13 AND WHAT YOU HEARD WAS A LIE? IS THAT RIGHT?

14 A. RIGHT.

15 REPRESENTATIVE WILLIAMS: OKAY.

16 CHAIRMAN RHODES: THANK YOU, REPRESENTATIVE
17 WILLIAMS.

18 THANK YOU VERY MUCH, MR. BANKS. THANK YOU
19 FOR BEING WITH US, AND WE APPRECIATE YOU COMING FORWARD.

20 (WITNESS EXCUSED.)

21 CHAIRMAN RHODES: OUR NEXT WITNESS IS DR.
22 MITCHELL SANDLER.

23 DR. SANDLER, DO YOU HAVE IN YOUR POSSESSION
24 A SUBPOENA TO APPEAR BEFORE THE SUBCOMMITTEE TONIGHT?

25 DR. SANDLER: YES, I DO.

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DR. MITCHELL SANDLER, SWORN.

CHAIRMAN RHODES: DR. SANDLER, WOULD YOU STATE YOUR FULL NAME AND SPELL YOUR LAST NAME AND GIVE YOUR ADDRESS FOR THE RECORD.

A. MITCHELL SANDLER, S-A-N-D-L-E-R, GARDEN COURT APARTMENTS C-505, 47TH AND PINE STREETS IN PHILADELPHIA.

CHAIRMAN RHODES: DR. SANDLER, YOU CAN TELL IN YOUR OWN WORDS WHAT THE DETAILS ARE OF THE INCIDENT YOU WOULD LIKE TO RELATE TO THE COMMITTEE.

WHAT IS YOUR OCCUPATION, DR. SANDLER?

A. I AM A FIRST-YEAR RADIOLOGY RESIDENT AT JEFFERSON HOSPITAL.

CHAIRMAN RHODES: THANK YOU. YOU MAY PROCEED, DR. SANDLER.

A. ALL RIGHT. THIS INCIDENT OCCURRED LAST APRIL 4TH WHEN I WAS GOING HOME FROM HAHNEMANN MEDICAL COLLEGE WHERE I WAS A STUDENT AND RECENTLY GRADUATED. I WAS GOING TO THE 15TH AND MARKET STREET SUBWAY STATION TO TAKE A SUBWAY BACK TO WEST PHILADELPHIA, AND I WAS PASSING THE PLAZA ON THE WEST SIDE OF CITY HALL.

CHAIRMAN RHODES: DR. SANDLER, EXCUSE ME. WHAT WAS THE DATE THIS OCCURRED?

A. THIS WAS APRIL 4, 1978.

1 CHAIRMAN RHODES: APRIL 4, 1978.

2 REPRESENTATIVE RICHARDSON: THIS YEAR?

3 A. YES.

4 CHAIRMAN RHODES: COULD YOU SPEAK A LITTLE
5 LOUDER. WE ARE HAVING TROUBLE HEARING YOU.

6 A. AS I WAS PASSING THE CITY HALL WEST PLAZA, I
7 NOTICED THERE WAS A DEMONSTRATION THERE AGAINST THE MOVE
8 BLOCKADE WHICH WAS GOING ON AT THIS TIME. AND I STOPPED TO
9 WATCH THIS DEMONSTRATION, AND I WAS THERE FOR ABOUT FIVE
10 MINUTES.

11 WHILE I WAS STANDING THERE LISTENING TO THE
12 SPEAKERS, A MAN WALKED UP TO ME AND HANDED ME A THREE BY FIVE
13 CARD, WRITTEN IN PENCIL, WHICH CONTAINED SOME OBSCENITIES
14 AGAINST MOVE. I DON'T THINK I CAN QUOTE EXACTLY WHAT WAS
15 WRITTEN ON THE CARD, BUT THE CARD SAID, 'F' MOVE, 'F' JOHN
16 AFRICA, 'F' REVOLUTION; LONG LIVE FRANK RIZZO. RIZZO
17 FOREVER.'

18 I AM NOT PARTICULARLY A MOVE SUPPORTER OR
19 SYMPATHIZER, BUT I WAS QUITE OFFENDED IN BEING GIVEN A CARD
20 WITH THESE OBSCENITIES ON IT BY SOMEBODY I HAD NEVER SEEN
21 BEFORE.

22 I SAW THE MAN WHO HAD GIVEN ME THIS CARD, HE
23 WALKED ABOUT MAYBE 20 FEET AWAY FROM WHERE I WAS STANDING,
24 AND HE STOOD WITH A GROUP OF OTHER MEN. AND I WALKED OVER
25 TOWARDS HIM, TEARING UP THE CARD AS I WENT, AND I PUSHED THE

1 CARD IN HIS GENERAL DIRECTION, IN EITHER HIS FACE OR UPPER
2 CHEST. AND AS I DID THAT I WAS ABOUT TO TURN AWAY.

3 THE NEXT THING I KNEW THIS MAN GRABBED ME BY
4 THE NECK, BEGAN TO CHOKE ME AND PUSHED ME OVER TOWARDS THE
5 GROUP OF UNIFORMED POLICE OFFICERS. HE PUSHED ME DOWN ON THE
6 GROUND. SOMEBODY INFORMED ME THAT I WAS UNDER ARREST, AND
7 THEY PUT HANDCUFFS ON ME.

8 NOTHING WAS DONE TO THIS INDIVIDUAL WHO
9 GRABBED ME BY THE NECK AND CHOKED ME; AND IT WAS AT THAT
10 TIME I SUSPECTED THAT HE WAS A PLAINCLOTHES POLICEMAN, BUT I
11 DID NOT FIND THIS OUT FOR CERTAIN UNTIL LATER.

12 THEN AFTER I WAS TOLD THAT I WAS UNDER
13 ARREST, I WAS LED AWAY TO A PADDY WAGON. AND WHILE I WAS
14 BEING LED AWAY, A REPORTER FROM THE PHILADELPHIA JOURNAL CAME
15 UP TO ME AND ASKED ME WHAT HAPPENED AND I TOLD HIM; AND I
16 ASKED HIM TO CALL MY MOTHER WITH WHOM I LIVED AND TELL HER
17 THAT I HAD BEEN ARRESTED.

18 THEN I ALSO ASKED THE POLICEMEN WHO ARRESTED
19 ME WHAT THE CHARGE WAS AGAINST ME, AND THEY TOLD ME THEY
20 WOULD INFORM ME OF THAT LATER.

21 I WAS PLACED IN THE POLICE WAGON, TAKEN TO
22 THE POLICE STATION AT 20TH AND THE PARKWAY. WHEN I GOT THERE
23 I FOUND OUT THAT THEY DIDN'T WANT ME THERE, SO I WAS TAKEN TO
24 THE ROUNDHOUSE AT 8TH AND RACE.

25 AT THE ROUNDHOUSE, I WAS TAKEN TO A ROOM AND

1 QUESTIONED BY A DETECTIVE AS TO WHAT HAPPENED; AND I TOLD HIM
2 THE SAME STORY I AM TELLING HERE.

3 REPRESENTATIVE WILLIAMS: DID HE WARN YOU OF
4 ANY RIGHTS BEFORE HE ASKED YOU WHAT HAPPENED?

5 A. NO, HE DID NOT.

6 REPRESENTATIVE WILLIAMS: GO AHEAD, DOCTOR.

7 A. HE QUESTIONED ME. I TOLD HIM WHAT HAPPENED,
8 AND I AGAIN ASKED HIM WHAT THE CHARGE AGAINST ME WAS. HE
9 DIDN'T TELL ME.

10 REPRESENTATIVE DUMAS: SPEAK UP.

11 A. I AGAIN ASKED HIM WHAT THE CHARGE AGAINST ME
12 WAS. HE DIDN'T TELL ME. HE DID NOT INFORM ME OF ANY OF MY
13 RIGHTS.

14 AFTER HE WAS THROUGH QUESTIONING ME, HE WAS
15 ABOUT TO LEAVE THE ROOM; I ASKED IF I COULD MAKE A PHONE
16 CALL. HE SAID I WOULD HAVE TO WAIT UNTIL THEY HAD COMPLETED
17 FILING THE CHARGES AGAINST ME.

18 SO HE LEFT ME IN THIS ROOM FOR ABOUT AN
19 HOUR. LATER HE CAME BACK TO THE ROOM AND ASKED IF THERE WAS
20 ANYTHING I WANTED. I SAID AT THAT TIME I WOULD LIKE TO MAKE
21 A PHONE CALL. SO AT THAT TIME I CALLED MY MOTHER, AND SHE
22 ALREADY KNEW THAT I HAD BEEN ARRESTED BECAUSE THIS REPORTER
23 HAD INFORMED HER. AND SHE TOLD ME THAT SHE TOLD MY UNCLE AND
24 HE WAS GOING DOWN TO THE POLICE STATION TO PAY MY BAIL,
25 SHOULD THAT BECOME NECESSARY.

1 AND AFTER I MADE THIS PHONE CALL I WAS THEN
2 INFORMED THAT I WAS GOING TO BE CHARGED WITH SIMPLE ASSAULT,
3 AND AT THAT TIME I WAS TOLD OF MY CONSTITUTIONAL RIGHTS. AND
4 SINCE I HAD ALREADY TOLD THE WHOLE STORY, I DECIDED TO WAIVE
5 MY RIGHT TO REMAIN SILENT.

6 AND AFTER BEING TOLD I WAS GOING TO BE
7 CHARGED I WAS TAKEN DOWNSTAIRS AND FINGERPRINTED AND BOOKED
8 AND TAKEN TO A CELL TO AWAIT ARRAIGNMENT. I WAITED IN THE
9 CELL FOR, I GUESS, ABOUT HALF AN HOUR TO FORTY-FIVE MINUTES.

10 I WAS TAKEN TO THE ARRAIGNMENT ROOM WITH A
11 GROUP OF OTHER PRISONERS AND THEN BROUGHT BEFORE THE JUDGE,
12 AND AT THAT TIME I WAS GIVEN THE CHARGE AGAINST ME. THE
13 CHARGE AGAINST ME READ THAT I TORE UP A PIECE OF PAPER AND
14 THREW IT IN A POLICE OFFICER'S FACE, THEN RAN AT HIM AND
15 ATTEMPTED TO GRAB HIM AND THAT I HAD TO BE RESTRAINED BY
16 OTHER OFFICERS AND HANDCUFFED.

17 OF COURSE, THE LATTER PART OF HIS CHARGE WAS
18 COMPLETELY UNTRUE. I WAS STANDING STILL AND MEANT TO WALK
19 AWAY AND HE RAN TOWARDS ME.

20 THE JUDGE FIXED BAIL AT \$500, OF WHICH I HAD
21 TO PAY \$53. BETWEEN MY UNCLE AND MYSELF WE HAD THE \$53, SO
22 WE PAID THE \$53.

23 REPRESENTATIVE WILLIAMS:

24 Q. MAY I INTERRUPT YOU?

25 I ASSUME THAT YOU HAVE NEVER HAD ANY RECORD

1 OF CONVICTIONS BEFORE THAT; IS THAT RIGHT?

2 A. NO.

3 Q. AND YOU ARE A MEDICAL DOCTOR AND YOU HAVE
4 LIVED IN PHILADELPHIA FOR A LONG TIME?

5 A. I HAVE LIVED IN PHILADELPHIA SINCE 1970,
6 WHEN I STARTED COLLEGE.

7 Q. I JUST WANT TO ADVISE YOU, USUALLY IN A
8 SITUATION LIKE THAT YOU GET RELEASED ON YOUR OWN
9 RECOGNIZANCE. THERE MUST HAVE BEEN SOMETHING ABOUT THIS
10 SITUATION WHERE THEY MADE YOU PAY SOME MONEY FOR BAIL.

11 A. WELL, IF THERE WAS, I HAVE NO IDEA WHAT IT
12 WAS.

13 Q. I SUSPECT IT IS BECAUSE IT INVOLVED
14 SOMETHING THE POLICE OFFICERS FOUND VERY UNPOPULAR -- I AM
15 NOT GOING TO SPECULATE.

16 USUALLY A PERSON WITH NO CONVICTIONS AND
17 WITH A STABLE JOB GETS RELEASED JUST BY SIGNING.

18 BUT, GO AHEAD.

19 CHAIRMAN RHODES: GO AHEAD WITH YOUR STORY,
20 DOCTOR.

21 A. SO AFTER I WAS TAKEN HOME I THEN RECEIVED A
22 CALL FROM THE POLICE THAT THEY HAD FORGOTTEN TO TAKE MY
23 PICTURE AND THEY WANTED TO TAKE MY PICTURE THAT NIGHT. I
24 ASKED IF IT COULD WAIT UNTIL THE NEXT DAY. THEY SAID NO, IT
25 HAD TO BE DONE THAT NIGHT, AND THEY WOULD COME TO GET ME.

1 SO THEY CAME TO MY HOUSE, TOOK ME BACK TO
2 THE ROUNDHOUSE, TOOK MY PICTURE, AND THEN TOOK ME HOME.

3 REPRESENTATIVE WILLIAMS: DID YOU AGREE TO GO
4 WITH THEM, OR DID THEY TELL YOU YOU HAD TO GO?

5 A. WELL, THEY TOLD ME THAT I REALLY HAD TO GO.
6 I DON'T KNOW IF I COULD HAVE REFUSED OR NOT. AT THE TIME I
7 WAS KIND OF FRIGHTEENED, I DIDN'T THINK I HAD MUCH CHOICE.

8 CHAIRMAN RHODES: COULD YOU SPEAK UP, DR.
9 SANDLER, WE CAN'T HEAR YOU.

10 A. AT THE TIME I WAS KIND OF FRIGHTEENED, I
11 DIDN'T THINK I HAD MUCH CHOICE, SO I DID AGREE TO GO. THEY
12 SAID THAT IT HAD TO BE DONE THAT NIGHT.

13 REPRESENTATIVE WILLIAMS: YOU AGREED BECAUSE
14 YOU THOUGHT YOU HAD TO GO?

15 A. THEY SAID IT HAD TO BE DONE THAT NIGHT.

16 THE NEXT DAY I WENT TO THE PUBLIC INTEREST
17 LAW CENTER IN PHILADELPHIA, WHICH IS A GROUP I HAD HEARD
18 ABOUT FROM THE NEWSPAPERS. I TOLD THEM WHAT HAPPENED, AND
19 THEY INFORMED ME ABOUT THE A.R.D. PROGRAM. THEY TOLD ME THIS
20 WAS PROBABLY WHAT WOULD BE OFFERED TO ME.

21 AND, IN FACT, I DID RECEIVE A LETTER FROM
22 THE DISTRICT ATTORNEY'S OFFICE TELLING ME TO COME TO A
23 HEARING, WHICH WAS ABOUT TWO WEEKS AFTER THE ARREST TOOK
24 PLACE. I WENT TO THAT HEARING AND I WENT IN TO THE ASSISTANT
25 DISTRICT ATTORNEY'S OFFICE. HE LOOKED AT THE CHARGE --

1 REPRESENTATIVE HUTCHINSON: DID YOU HAVE
2 COUNSEL?

3 A. YES, I HAD A LAWYER FROM THE PUBLIC INTEREST
4 LAW CENTER. HE ASKED IF I KNEW THAT THIS WAS A POLICEMAN. I
5 SAID, "NO, I DIDN'T." HE LOOKED AT THE CHARGE AGAIN. HE
6 SAID THIS WAS JUST UNBELIEVABLE, AND THE DISTRICT ATTORNEY'S
7 OFFICE WAS GOING TO DROP THE CHARGE AS OF THAT DAY, AND THEY
8 WERE GOING TO EXPUNGE MY POLICE RECORD AS OF THAT DAY.

9 SO WHEN I LEFT THE HEARING I DECIDED I
10 SHOULD WAIT FOR AWHILE TO SEE IF I WOULD HEAR FROM THE POLICE
11 AS TO WHETHER MY RECORD WOULD BE EXPUNGED, AND I DID NOT HEAR
12 FROM THE POLICE.

13 SO I WENT BACK TO THE LAW CENTER AND ASKED
14 THEM TO WRITE A LETTER OF COMPLAINT TO THE POLICE. THEY DID
15 THAT; AND I WAS CALLED IN TO A MEETING WITH A POLICE
16 INSPECTOR AND I TOLD HIM WHAT HAD HAPPENED.

17 AND I HAD EXPECTED AN APOLOGY FROM THE
18 POLICE, I WOULD HAVE BEEN SATISFIED GETTING A WRITTEN APOLOGY
19 FROM THE POLICE FOR THIS INCIDENT.

20 REPRESENTATIVE WILLIAMS: YOU WOULD HAVE BEEN
21 SATISFIED WITH AN APOLOGY AT YOUR DISCUSSION WITH THE
22 INSPECTOR?

23 A. YES. AND HE WAS VERY UNAPOLOGETIC; AND HE
24 TRIED TO ASK ME QUESTIONS WHICH WOULD MAKE IT APPEAR THAT I
25 HAD ATTACKED THIS POLICE OFFICER.

1 CHAIRMAN RHODES: WHAT WAS THE INSPECTOR'S
2 NAME?

3 A. HIS NAME WAS LUCAS.

4 REPRESENTATIVE WILLIAMS: DID YOU GIVE YOUR
5 VERSION?

6 A. YES.

7 REPRESENTATIVE WILLIAMS: DID HE SEEM LIKE HE
8 WAS INTERESTED IN HEARING IT OR BELIEVING IT?

9 A. HE DID NOT SEEM TO BELIEVE, FIRST OF ALL,
10 THAT THE MAN WHO GAVE ME THIS PAPER WAS A POLICE OFFICER. HE
11 SAID HE HAD INTERVIEWED THE POLICE OFFICER AND HE DENIED
12 HAVING GIVEN ME THE PAPER.

13 HE IMPLIED THAT I HAD PROVOKED THIS POLICE
14 OFFICER; AND HE TRIED TO GET ME TO ADMIT THAT I HAD DONE
15 SOMETHING WORSE THAN JUST TEAR UP A PIECE OF PAPER AND THROW
16 IT AT HIM. I DID NOT ADMIT DOING THAT, BECAUSE I DID NOT DO
17 ANYTHING WORSE THAN THAT.

18 AND THE COUNSELOR, THE INVESTIGATOR I WAS
19 WITH FROM THE PUBLIC INTEREST LAW CENTER ASKED IF
20 P.I.L.C.O.P. WOULD BE TOLD OF ANY ACTION TO BE TAKEN AGAINST
21 THE POLICE. THE INSPECTOR SAID PROBABLY NO ACTION WOULD BE
22 TAKEN BECAUSE HE DIDN'T THINK ANY WRONG WAS DONE BY THE
23 POLICE.

24 SO I LEFT THERE ASSUMING I WOULD NOT GET A
25 WRITTEN APOLOGY.

1 REPRESENTATIVE RICHARDSON: YOU ASSUMED
2 CORRECTLY.

3 A. A FEW WEEKS LATER, I AGAIN CONTACTED
4 P.I.L.C.O.P. NOW I AM IN THE PROCESS OF HAVING THEM OBTAIN
5 A LAWYER, AND I AM PLANNING TO BRING A CIVIL SUIT AGAINST THE
6 CITY AND THIS POLICEMAN FOR FALSE ARREST.

7 THAT IS REALLY THE EXTENT OF WHAT HAPPENED.
8 CHAIRMAN RHODES:

9 Q. THE POLICE OFFICER WHO MADE THE ARREST, WAS
10 HE THE SAME POLICE OFFICER WHO GAVE YOU THE CARD?

11 A. YES, HE WAS. HE IS THE OFFICER WHO SIGNED
12 THE WARRANT AGAINST ME. I HAVE THE WARRANT WITH ME.

13 Q. DO YOU HAVE A COPY OF IT?

14 A. YES.

15 REPRESENTATIVE RICHARDSON: CAN WE SEE IT,
16 PLEASE?

17 REPRESENTATIVE WILLIAMS:

18 Q. WHILE YOU ARE GETTING THAT OUT, HAS ANYTHING
19 LINE THAT EVER HAPPENED TO YOU, HAVE YOU EVER HAD ANY TROUBLE
20 WITH THE POLICE?

21 A. NO. NO TROUBLE WITH THE POLICE, NEVER
22 ARRESTED.

23 REPRESENTATIVE DUMAS: FOR THE RECORD, DO YOU
24 REMEMBER THE ARRAIGNMENT JUDGE?

25 A. HIS NAME WAS BLOUNT.

1 CHAIRMAN RHODES:

2 Q. FOR THE RECORD, COULD YOU GIVE US THE NAME
3 OF THE OFFICER WHO MADE THE ARREST?

4 A. HIS NAME WAS CARMEN CARUSO.

5 Q. COULD YOU SPELL HIS LAST NAME?

6 A. C-A-R-U-S-O.

7 (A DOCUMENT WAS HANDED TO THE CHAIRMAN
8 BY THE WITNESS.)

9 CHAIRMAN RHODES:

10 Q. YOU ARE TESTIFYING UNDER OATH THAT THIS IS
11 THE MAN, OFFICER CARUSO WAS THE INDIVIDUAL WHO GAVE YOU THE
12 CARD TO READ?

13 A. THAT IS RIGHT, HE DID GIVE ME THAT CARD.

14 Q. WAS IT EVER DETERMINED, FOR THE RECORD,
15 WHETHER OFFICER CARUSO WAS ON OR OFF DUTY AT THE TIME OF THE
16 INCIDENT?

17 A. I ASSUME HE WAS ON DUTY BECAUSE --

18 Q. WAS IT EVER DETERMINED?

19 A. IT WAS NEVER DETERMINED DEFINITELY, AS FAR
20 AS I KNOW.

21 REPRESENTATIVE RICHARDSON: MAY I ASK A
22 QUESTION?

23 CHAIRMAN RHODES: REPRESENTATIVE RICHARDSON.

24 REPRESENTATIVE RICHARDSON:

25 Q. I WAS AT THAT APRIL 4TH DEMONSTRATION. ARE

1 YOU REFERRING TO THE APRIL 4TH DEMONSTRATION THAT WAS HELD AT
2 CITY HALL, ON THE NORTH SIDE OF CITY HALL?

3 A. I THINK IT WAS ON THE WEST SIDE.

4 Q. THAT'S THE TIME WHEN -- LET ME JUST ASK THE
5 QUESTION. IS THAT THE TIME WHEN THE FOLKS RAN A RING AROUND
6 CITY HALL?

7 A. I AM TRYING TO REMEMBER. I THINK THE POLICE
8 HAD BLOCKED OFF THE ENTRANCES TO CITY HALL TO PREVENT PEOPLE
9 FROM GOING IN. I DON'T REMEMBER IF THERE WAS A 'MOVE' RING
10 AROUND CITY HALL. I THINK MOST OF THE SPEECHES WERE ON THE
11 WEST SIDE, IF I REMEMBER CORRECTLY.

12 Q. WHATEVER SIDE, THE POINT I AM TRYING TO
13 MAKE, I AM TRYING TO REMEMBER -- WHAT TIME DID YOU GET THERE?

14 A. I ARRIVED THERE ABOUT 5:00 O'CLOCK OR TEN
15 AFTER 5:00.

16 Q. AND AT THAT TIME PEOPLE WERE SPEAKING?

17 A. YES, THERE WERE SPEAKERS.

18 Q. DO YOU REMEMBER SEEING ME THERE?

19 A. NO, I DID NOT SEE YOU.

20 Q. OKAY. THE REASON I RAISED THAT QUESTION IS
21 BECAUSE I WAS THERE. I AM TRYING TO ESTABLISH WHEN THIS
22 INCIDENT TOOK PLACE BECAUSE WE STAYED THERE THAT WHOLE NIGHT.
23 AND I AM JUST TRYING TO REMEMBER WHEN THIS INCIDENT TOOK
24 PLACE.

25 WAS THERE ANYBODY ELSE AROUND AT THE TIME,

1 DOCTOR?

2 A. WELL, THERE WERE OTHER PEOPLE AROUND, BUT
3 NOBODY --

4 Q. DID IT HAPPEN REAL FAST, THAT IS WHAT I AM
5 SAYING, WAS IT DONE IN A QUICK MANNER?

6 A. YES.

7 Q. IF YOU WERE PART OF THAT CROWD, COULD IT
8 HAVE BEEN DONE SO QUICKLY THAT NOBODY REALLY COULD HAVE
9 DETERMINED WHAT HAPPENED?

10 A. YES, IT COULD HAVE. IT PROBABLY TOOK A
11 MATTER OF MINUTES FROM THE TIME I WALKED UP TOWARDS HIM UNTIL
12 THE TIME HE GRABBED ME BY THE NECK, PUSHED ME DOWN, HAD THE
13 HANDCUFFS ON ME AND TOOK ME AWAY TO THE POLICE WAGON. THAT
14 WAS JUST A MATTER OF MINUTES.

15 Q. SO YOU DON'T KNOW WHETHER OR NOT ANYBODY
16 ELSE WITNESSED THAT OR NOT?

17 A. NO, I DON'T KNOW IF I HAVE ANY WITNESSES. I
18 KNOW NOBODY THAT I KNOW WAS THERE.

19 Q. YOU HAVE HEARD ALLEGATIONS OF POLICE
20 BRUTALITY IN THIS CITY, I GUESS, SINCE YOU HAVE BEEN HERE,
21 SINCE 1970?

22 A. YES, I HAVE.

23 Q. PRIOR TO YOUR OWN SPECIFIC INVOLVEMENT WITH
24 THE POLICE, WHAT WAS YOUR REACTION TO THEM BEFORE?

25 A. WELL, I HAD HEARD THE CHARGES OF POLICE

1 BRUTALITY, AND I THOUGHT MANY OF THEM WERE TRUE. I KNEW THAT
2 MANY OF THEM HAD BEEN WITNESSED, AND I READ THE STORIES IN
3 THE INQUIRER AND I KNEW THAT PEOPLE WERE BROUGHT TO HOSPITALS
4 FROM POLICE STATIONS WITH INJURIES.

5 I BELIEVED MANY OF THE STORIES ABOUT POLICE
6 BRUTALITY. I FELT THAT THE PAPERS WERE TELLING THE TRUTH, AT
7 LEAST IN MOST CASES.

8 CHAIRMAN RHODES:

9 Q. DO YOU EXPERIENCE -- AS A PRACTICING
10 PHYSICIAN IN THE HOSPITAL, HAVE YOU HAD ANY INSTANCES TO
11 ENCOUNTER CITIZENS WHO HAVE COME INTO THE HOSPITAL WITH
12 BRUISES OR INJURIES ARISING OUT OF ALLEGED POLICE
13 BRUTALITIES?

14 A. NO, I HAVEN'T PERSONALLY. I HAVE BEEN A
15 MEDICAL STUDENT FOR THE PAST FOUR YEARS AND I HAVEN'T SPENT
16 ALL THAT MUCH TIME IN EMERGENCY ROOMS, AND I HAVEN'T HAD TOO
17 MUCH PERSONAL CONTACT WITH PEOPLE WHO HAVE BEEN VICTIMS OF
18 POLICE ABUSE.

19 CHAIRMAN RHODES: EXCUSE ME, REPRESENTATIVE
20 RICHARDSON.

21 REPRESENTATIVE RICHARDSON: I YIELD. I WOULD
22 LIKE TO SEE THE COMPLAINT BEFORE YOU FINISH.

23 CHAIRMAN RHODES: REPRESENTATIVE DUMAS.

24 REPRESENTATIVE DUMAS:

25 Q. DID YOU SUSTAIN ANY INJURIES FROM THE

1 INCIDENT?

2 A. WELL, MY THROAT WAS SURE FOR SEVERAL DAYS
3 THEREAFTER. ASIDE FROM THAT, THERE WAS NO OTHER INJURY.

4 Q. DID YOU REQUIRE ANY MEDICAL ATTENTION?

5 A. NO, I DID NOT.

6 REPRESENTATIVE DUMAS: THANK YOU, THAT'S ALL.

7 REPRESENTATIVE WILLIAMS:

8 Q. YOU DON'T SEEM, IN YOUR TONED-DOWN FASHION,
9 YOU DON'T SEEM WHAT THEY CALL A POLITICAL AGITATOR, YOU DON'T
10 HAVE A PARTICULAR --

11 A. NO, I AM NOT A POLITICAL AGITATOR.

12 Q. I TAKE IT YOU ARE NOT IN A GROUP THAT HAS
13 ANYTHING AGAINST THE MOVE GROUP?

14 A. NO, I AM NOT A MEMBER OF ANY POLITICAL
15 ORGANIZATION.

16 Q. YOU WERE JUST AN AVERAGE CITIZEN, LEFT OUT OF
17 THE HOSPITAL TO SEE WHAT WAS HAPPENING?

18 A. THAT IS RIGHT, I JUST WANTED TO WATCH THIS
19 DEMONSTRATION.

20 Q. AND YOU FELT AS AN AMERICAN CITIZEN, YOU
21 HAVE A LEGAL RIGHT TO DO THAT?

22 A. THAT'S TRUE.

23 Q. FOR THE RECORD, YOU ARE CAUCASIAN; IS THAT
24 RIGHT?

25 A. YES.

1 Q. AND YOU ARE A MEDICAL DOCTOR, WE HAVE
2 ESTABLISHED THAT?

3 A. YES, SIR.

4 Q. DO YOU HAVE ANY FEELINGS ABOUT IF WHAT
5 HAPPENED TO YOU OR IF SOMETHING MORE SERIOUS COULD HAPPEN TO
6 JUST ANY AMERICAN CITIZEN, BLACK, WHITE, RICH, POOR, OLD,
7 YOUNG OR DO YOU HAVE ANY FEELING ABOUT THAT AS AN AMERICAN
8 CITIZEN IN THE FRAMEWORK OF GOVERNMENT THAT WE LIVE IN?

9 A. WELL, I THINK IT IS PRETTY SHOCKING THAT
10 WHAT HAPPENED TO ME COULD HAPPEN TO ANYBODY. I THINK IF I DO
11 GO TO CIVIL COURT -- I DON'T HAVE ANY WITNESSES, BUT I THINK
12 A JURY MAY BELIEVE ME BECAUSE OF MY PROFESSION, BECAUSE I
13 THINK I HAVE A RECORD OF BEING HONEST AND A RECORD OF HAVING
14 A GOOD JOB. I HAVE A RECORD OF HAVING A SOLID JOB, BEING A
15 GOOD CITIZEN.

16 I THINK IF SOMETHING LIKE THAT HAPPENED TO
17 SOMEBODY WHO WAS, SAY, UNEMPLOYED, THEY MIGHT NOT BE AS
18 FORTUNATE, AND A JURY MIGHT NOT BELIEVE THEM.

19 Q. DOCTOR, YOU MAKE A POINT I THINK, REALLY,
20 THE COMMITTEE OUGHT TO HEAR WELL.

21 IN YEARS PAST POLICE VIOLENCE HAS BEEN
22 ALLEGED IT USED TO HAPPEN TO PEOPLE WHO CAN'T TAKE CARE OF
23 THEMSELVES, POOR PEOPLE AND MINORITY PEOPLE A LOT, AND THAT
24 WHEN THEY GET TO COURT, AS YOU SAID, THEY ARE NOT PERCEIVED
25 WITH THE SAME BELIEVABILITY AS YOU ARE, A DOCTOR, PERCEIVED.

1 THAT WOULD BE YOUR OPINION, RIGHT?

2 A. YES.

3 Q. YOU ARE THINKING, IN YOUR CASE, EVEN THOUGH
4 YOU DON'T HAVE ANY WITNESSES THAT YOU DO HAVE SOME
5 CREDIBILITY BECAUSE OF YOUR EXPERIENCE, YOUR STATION IN LIFE
6 AND YOUR BACKGROUND?

7 A. YES, I DO.

8 Q. BUT AS AN AMERICAN CITIZEN I AM ASSUMING
9 THAT YOU DO BELIEVE WHETHER A PERSON IS RICH OR POOR, BLACK
10 OR WHITE, WHATEVER GROUP, THAT EVERYBODY SHOULD HAVE THE SAME
11 EQUAL OPPORTUNITY IN A COURT OF LAW TO HAVE THEIR STATEMENTS
12 EVALUATED FAIRLY AND HONESTLY?

13 A. YES, I DO BELIEVE THAT.

14 Q. YOU BELIEVE THAT?

15 A. YES, I DO.

16 CHAIRMAN RHODES: THANK YOU.

17 IF THERE ARE NO OTHER QUESTIONS.

18 REPRESENTATIVE HUTCHINSON: I HAVE ONE.

19 CHAIRMAN RHODES: REPRESENTATIVE HUTCHINSON.

20 REPRESENTATIVE HUTCHINSON:

21 Q. YOU SAY THIS HAPPENED AT APPROXIMATELY 5:00
22 O'CLOCK IN THE AFTERNOON?

23 A. THAT IS RIGHT.

24 Q. IT WAS AT CITY HALL?

25 A. THAT IS RIGHT.

1 Q. YOU TESTIFIED THERE WAS A DEMONSTRATION
2 GOING ON AT THAT TIME?

3 A. THAT IS RIGHT.

4 Q. DID YOU NOTICE AT OR NEAR THE PLACE WHERE
5 YOU WERE, WAS THERE ANY SCUFFLING OR VIOLENCE OF ANY KIND
6 GOING ON INVOLVING THE PEOPLE THERE AND THE POLICE?

7 A. NO, I DIDN'T SEE ANY VIOLENCE OR ANY
8 FIGHTING.

9 Q. WAS IT A PEACEFUL DEMONSTRATION?

10 A. YES, IT WAS A COMPLETELY PEACEFUL
11 DEMONSTRATION. THERE WERE JUST PEOPLE SPEAKING, CHEERING,
12 NOTHING MORE THAN THAT.

13 Q. DID THE POLICE HAVE A CORDON OR A RING IN A
14 CERTAIN AREA AROUND THE PEOPLE? DID THEY HAVE AN AREA
15 CORDONED OFF?

16 A. THERE WERE POLICE VANS BLOCKING THE
17 ENTRANCES TO CITY HALL. I BELIEVE.

18 Q. WHERE WERE THOSE POLICE VANS LOCATED, IF YOU
19 CAN REMEMBER, WITH RESPECT TO THE PLACE WHERE YOU WERE WHEN
20 YOU WENT UP TO THE POLICE OFFICER AND THREW THE CARD AT HIM?

21 A. WELL, I REMEMBER AS I WAS WALKING TOWARDS
22 THE DEMONSTRATION, TOWARDS THE WEST SIDE OF CITY HALL THERE
23 WAS A POLICE VAN IN THE NORTH GATE TO THE CITY HALL COURT
24 YARD, AND THERE WERE OTHER POLICE VANS IN THE STREET I
25 BELIEVE ON 15TH STREET, ON THE WEST SIDE OF CITY HALL.

1 Q. WERE THEY ANYWHERE NEAR -- HOW FAR WERE THEY
2 FROM WHERE THE POLICE OFFICER OR THE PERSON WAS IN WHOSE FACE
3 YOU THREW THE CARD?

4 A. WELL, THE POLICE VANS WERE QUITE FAR, I
5 BELIEVE. THIS HAPPENED, I WOULD GUESS, IN THE MIDDLE OF CITY
6 HALL PLAZA. THE POLICE VANS WERE IN THE STREET EXCEPT FOR
7 THE ONES WHICH WERE BLOCKING THE GATES TO CITY HALL.
8 HOWEVER, THERE WERE OTHER UNIFORMED POLICEMEN AROUND.

9 Q. THERE WERE NO SCUFFLES OR STRUGGLES GOING ON
10 AT OR NEAR THE PLACE WHERE THIS WAS GOING ON?

11 A. NO, I SAW NONE.

12 Q. THANK YOU, THAT IS ALL.

13 REPRESENTATIVE WILLIAMS:

14 Q. FOR THE RECORD, DR. SANDLER, ON THE PAPERS
15 YOU GOT ON THE NIGHT OF YOUR ARREST IT DOES SAY DOWN ON THE
16 BOTTOM, "THE COMMONWEALTH WITNESS WAS IN PLAIN CLOTHES AT THE
17 TIME OF THE ALLEGED INCIDENT"?

18 A. THAT IS RIGHT.

19 CHAIRMAN RHODES: THANK YOU VERY MUCH, DR.
20 SANDLER. WE APPRECIATE YOU COMING FORTH AND GIVING TESTIMONY
21 BEFORE THE SUBCOMMITTEE.

22 (WITNESS EXCUSED.)

23 CHAIRMAN RHODES: AT THIS POINT, I AM TURNING
24 THE CHAIRMANSHIP OF THE HEARING OVER TO REPRESENTATIVE JOHN
25 WHITE OF PHILADELPHIA COUNTY.

1 (PAUSE.)

2 CHAIRMAN WHITE: IS MR. SYLVESTER GROSE
3 PRESENT?

4 WHILE MR. GROSE IS COMING, I WISH TO
5 ACKNOWLEDGE RECEIPT OF AND SUBMIT FOR THE RECORD OF THIS
6 COMMITTEE A STATEMENT FROM MR. THOMAS EVANS.

7 MR. GROSE, DO YOU ACKNOWLEDGE RECEIPT OF A
8 SUBPOENA TO TESTIFY BEFORE THIS COMMITTEE THIS EVENING?

9 MR. GROSE: YES, I HAVE.

10 ---

11 SYLVESTER GROSE, SWORN.

12 Q. WOULD YOU STATE YOUR NAME AND SPELL IT, YOUR
13 ADDRESS FOR THE RECORD, PLEASE?

14 A. MY NAME IS SYLVESTER GROSE, G-R-O-S-E, 2959
15 EDGELY STREET, PHILADELPHIA, 19121.

16 Q. THANK YOU MR. GROSE. WOULD YOU CARE TO
17 RELATE --

18 A. 1976, I AM WORKING ON THE JOB AS A SEXTON AT
19 A CHURCH, WESTMINISTER CHURCH IN WEST PHILADELPHIA, 58TH AND
20 CHESTER AVENUE. THE POLICE CAME ON THE JOB IN AUGUST. THE
21 SECRETARY TOLD ME THEY WERE THERE ABOUT ME.

22 OCTOBER, I DON'T HAVE A JOB.

23 I HAVE BEEN FOLLOWED, ELECTRONICALLY
24 MONITORED SINCE THAT DATE; AND I AM NOT PERMITTED TO HAVE A
25 JOB. THEY RUN A PHONY FINANCIAL SURVEY ON ME, AND THE

1 INTERNAL REVENUE WAS PUT ON ME. I HAVE PARTICIPATING
2 WITNESSES, I HAVE WITNESSES WHO WANT TO TESTIFY, BUT THEY
3 WANT PROTECTION.

4 I DON'T KNOW WHAT IT IS, BUT MY MAIL IS
5 INTERRUPTED, TAMPERED WITH, ALTERED, AND I THINK --

6 MR. REILLY: I WOULD LIKE TO MAKE A SUGGESTION.
7 WITH THIS TYPE OF MATERIAL IT IS GOING TO BE HARD TO GIVE
8 THOSE OFF THE TOP OF YOUR HEAD.

9 I THINK THE BEST THING FOR YOU TO DO -- WE
10 HAVE AN OFFICE HERE IN PHILADELPHIA THAT WE MAINTAIN TO
11 CONDUCT INVESTIGATIONS. IF YOU COULD COME DOWN AND GET
12 TOGETHER WITH MR. BRASWELL WHO IS SPECIAL COUNSEL WORKING ON
13 THIS INVESTIGATION, TALK TO HIM TO GET YOUR WITNESSES
14 TOGETHER.

15 I DON'T WANT TO OPEN THIS UP AS A PARTIAL
16 THING TONIGHT. IT SOUNDS LIKE THE KIND OF THING THAT NEEDS
17 SOME DETAILED WORK.

18 I AM IN CHARGE OF ALL INVESTIGATIONS FOR
19 THE SUBCOMMITTEE. MR. BRASWELL WORKS WITH ME.

20 A. WELL, SOMETHING NEEDS TO BE DONE.

21 CHAIRMAN WHITE: IT CERTAINLY SOUNDS LIKE IT
22 DOES

23 A. AND QUICK.

24 CHAIRMAN WHITE: MR. BRASWELL, WITH THE
25 INDULGENCE OF THE SUBCOMMITTEE --

1 A. THE LONG-RANGE RESULTS OF THIS THING, I HAD
2 TO RETIRE EARLY AND IT HURTS ME FINANCIALLY WHEN I APPLY FOR
3 SOCIAL SECURITY.

4 CHAIRMAN WHITE: MR. BRASWELL, SO IT DOESN'T
5 APPEAR ON THE RECORD WOULD YOU GO TO MR. GROSE AND TELL HIM
6 HOW TO GET IN TOUCH WITH US.

7 MR. GROSE, WE WANT TO THANK YOU FOR COMING
8 BEFORE US TONIGHT. THE SPECIAL COUNSEL FOR THE COMMITTEE,
9 MR. BRASWELL, WILL TALK WITH YOU IN THE BACK ROOM.

10 MR. REILLY: AWAY FROM EVERYBODY.

11 CHAIRMAN WHITE: MR. GROSE, MR. BRASWELL WILL
12 MEET WITH YOU IN THE BACK OF THE ROOM SO YOU CAN RELATE THE
13 NAMES OF THE WITNESSES WITH WHOM YOU COULD PROBABLY TALK TO
14 GET THE FULL IMPACT OF YOUR TESTIMONY YOU WOULD HAVE BEFORE
15 US.

16 (WITNESS EXCUSED.)

17 IS MR. ROY LEEDS PRESENT?

18 (PAUSE.)

19 CHAIRMAN WHITE: MR. LEEDS, DO YOU KNOWLEDGE
20 RECEIPT OF A SUBPOENA TO TESTIFY BEFORE THIS SUBCOMMITTEE
21 THIS EVENING?

22 MR. LEEDS: YES.

23 ---

24 ROY LEEDS, SWORN.

25 CHAIRMAN WHITE: YOU MAY PROCEED, COULD YOU

1 GIVE US YOUR NAME AND ADDRESS FOR THE RECORD AND THE CORRECT
2 SPELLING OF YOUR NAME.

3 A. ROY LEEDS, L-E-E-D-S, 3308 RACE STREET,
4 WITHIN THE POWELTON VILLAGE SECTION OF PHILADELPHIA,
5 PENNSYLVANIA, 19134.

6 CHAIRMAN WHITE: WOULD YOU CARE TO RELATE YOUR
7 TESTIMONY TO THE COMMITTEE HERE?

8 A. YES. I HAVE THE UNDERSTANDING THAT THIS IS
9 AN INVESTIGATION BY THIS PANEL INTO CORRUPTION AND POLICE
10 ABUSE, POLICE BRUTALITY WITH THE ATTEMPT TO GATHER TOGETHER A
11 LOT OF INFORMATION CONCERNING A LOT OF ABUSE AND BRUTALITY
12 WITHIN PHILADELPHIA AND --

13 CHAIRMAN WHITE: AND ALSO THE OTHER SIDE, AND
14 ALSO THE OTHER SIDE, THE CITIZENS ABUSE CASE AGAINST POLICE.

15 A. I HAVE NO TESTIMONY AT ALL CONCERNING THAT.

16 CHAIRMAN WHITE: OKAY, GO RIGHT AHEAD THEN.

17 A. WHAT I WAS ABOUT TO SAY IS THAT BESIDES
18 MENTIONING A CASE --

19 (BRIEF INTERRUPTION.)

20 CHAIRMAN WHITE: MR. LEEDS, YOU MAY GO AHEAD
21 NOW.

22 REPRESENTATIVE RICHARDSON: THAT IS NOT A
23 MICROPHONE. SPEAK UP.

24 A. I UNDERSTAND, I AM JUST TRYING TO MAKE SURE
25 IT GETS IN THERE FOR THE RECORD.

1 BESIDES MENTIONING A CASE OF POLICE
2 BRUTALITY THAT I HAVE PERSONALLY EXPERIENCED AND ALSO
3 MENTIONING A SMALL NUMBER OF CASES OF PHILADELPHIA POLICE
4 ABUSE, OF COURSE, DIFFERENT FROM ACTUAL PHYSICAL BRUTALITY.
5 I ALSO WISH TO MENTION HOW I THINK THAT TIES IN WITH WHAT IS
6 HAPPENING POLITICALLY IN THIS CITY AND AS IT REFLECTS WHAT IS
7 HAPPENING IN THIS COUNTRY.

8 AS FAR AS THE PHYSICAL POLICE BRUTALITY IS
9 CONCERNED, I EXPERIENCED THIS BRUTALITY, PHYSICAL BRUTALITY A
10 FEW MONTHS AFTER I CAME BACK FROM THE MILITARY SERVICE I WAS
11 INVOLVED WITH. IN THE YEAR OF 1967 I WAS DISCHARGED FROM
12 FOUR YEARS, FOUR MONTHS AND SEVEN DAYS IN THE U.S. MILITARY
13 ACTIVE DUTY AND I CAME BACK TO PHILADELPHIA. THIS WAS JUST A
14 LITTLE BEFORE MAYOR RIZZO WAS SELECTED AS THE POLICE
15 COMMISSIONER OF THIS CITY.

16 CHAIRMAN WHITE:

17 Q. THIS WAS WHEN, IN 1967?

18 A. 1967, EARLY 1967 I CAME BACK TO
19 PHILADELPHIA. AND I DON'T REMEMBER THE EXACT DATE THAT
20 RIZZO WAS PUT IN AS POLICE COMMISSIONER; BUT DURING THAT
21 SUMMER -- SOMETIMES OF COURSE DATES GET A LITTLE VAGUE AFTER
22 SEVERAL YEARS -- DURING THAT SUMMER OF '67 I HAD A SITUATION
23 THAT DEVELOPED WITH SOMEONE ON THE PHILADELPHIA POLICE FORCE.
24 NOW WITHOUT GOING INTO THAT RIGHT NOW -- I
25 WILL BE HAPPY TO EXPLAIN IT IF ANYBODY ASKS QUESTIONS, BUT

1 WITHOUT GOING INTO IT RIGHT NOW, THAT DEVELOPED INTO A
2 SITUATION WHERE THERE WAS A SITUATION ON THE 17TH OF AUGUST,
3 1967, APPROXIMATELY -- THIS IS VAGUE -- 2:30 IN THE MORNING,
4 AT THE AREA OF 9TH AND PINE, CENTER CITY PHILADELPHIA. THERE
5 WAS A PARTY GOING ON WITH A SMALL NUMBER OF PEOPLE ON THE
6 FIRST FLOOR OF THE BUILDING AT THAT LOCATION.

7 WE HAD SOME BEER AND I DON'T EVEN REMEMBER,
8 I DEFINITELY WASN'T DRUNK -- THAT DOESN'T REALLY MATTER IF I
9 WAS DRUNK, IT WAS A TYPICAL PARTY. AND I DID USED TO BE AT
10 THAT TIME DURING THOSE YEARS A VERY HEAVY ALCOHOLIC AND -- AT
11 THAT TIME I WAS NOT HIGHLY INTOXICATED THOUGH. I PROBABLY
12 HAD ONE BEER, APPROXIMATELY, MAYBE TWO.

13 Q. IS THIS INCIDENT THAT YOU ARE TALKING ABOUT
14 RELATED TO A PERSONAL CASE OF POLICE ABUSE PERPETRATED
15 AGAINST YOU?

16 A. YES, IT DOES.

17 MR. REILLY: HE IS TELLING HOW HE FOLLOWED UP
18 ON THAT WITH SUBSEQUENT LEGAL ACTIONS HE BROUGHT.

19 A. RIGHT, EXACTLY.

20 I WAS SITTING IN THIS APARTMENT WHERE THE
21 PARTY WAS GOING ON.

22 AND BETWEEN THE TIME I GOT DISCHARGED FROM
23 THE SERVICE AND THIS TIME, SEVERAL MONTHS THERE, IN '67, I
24 HAD PURCHASED A MOTORCYCLE. I RODE IT, BESIDES A LOT OF
25 OTHER PLACES, A LOT AROUND PHILADELPHIA. I HAD A NUMBER OF

1 EXPERIENCES BECAUSE I USED TO DRINK HEAVILY, PARKING OUTSIDE
2 OF BARS AND SOMETIMES SOMEBODY WOULD COME OUT OF A BAR AND
3 DELIBERATELY, INTENTIONALLY, UNINTENTIONALLY, ACCIDENTALLY,
4 WITHOUT ANY AWARENESS OF THE INCIDENT, KNOCK IT OVER WITH A
5 CAR. NOW YOU KNOW THIS COSTS A LOT OF MONEY IN WELDING
6 REPAIRS.

7 SO AT THIS PARTY SOMEBODY MENTIONED THAT
8 THEY HEARD A NOISE. THERE WAS MY MOTORCYCLE OUTSIDE PLUS TWO
9 OR THREE OTHER ONES ACROSS THE STREET. AND IMMEDIATELY,
10 WITHOUT EVEN THINKING ABOUT IT, I JUST JUMPED UP AND WITHOUT
11 EVEN SAYING ANYTHING TO ANYBODY, IT WAS JUST A SPONTANEOUS
12 REACTION, THINKING THAT MAYBE SOMEBODY HAD BUMPED INTO ONE OF
13 THE BIKES OUTSIDE. I THOUGHT I WOULD DART OUT THERE REAL
14 QUICK AND AT LEAST TAKE DOWN THE LICENSE NUMBER IF SOMEBODY
15 IS DRIVING AWAY OR MAYBE SOMETHING ELSE.

16 AND WHEN I GOT OF THE APARTMENT I GOT
17 HALFWAY BETWEEN THE BUILDING AND THE SIDEWALK AND I NOTICED
18 THAT THERE WAS A RED CAR -- WHICH IS OF COURSE THE COLOR THAT
19 THE PHILADELPHIA POLICE CARS USED TO BE BEFORE THEY WERE
20 TURNED TO BLUE, FOR PSYCHOLOGICAL REASONS, I BELIEVE --
21 PARKED RIGHT IN FRONT OF THE ENTRANCEWAY TO THIS APARTMENT
22 BUILDING GOING THE WRONG WAY. I SAID TO MYSELF REAL QUICK
23 'DAMN, THIS LOOKS AWFUL STRANGE.' I KIND OF FIGURED IT WAS
24 MAYBE IN SOME WAY CONNECTED WITH SOMETHING THAT WAS GOING ON
25 THERE. I STOPPED REAL QUICK.

1 AND ME AND THIS POLICE OFFICER THAT WAS THE
2 DRIVER OF THIS CAR, A YOUNG PHILADELPHIA COP BECAUSE OF
3 CERTAIN THINGS HE HAD AGAINST ME -- WHICH I WILL EXPLAIN IF
4 ANYBODY WANTS ME TO, IF ANYONE HAS A QUESTION -- HE HAD
5 SOMETHING AGAINST ME. WE HAD SOMETHING BETWEEN US VERBALLY.
6 HE GOT OUT OF THE CAR. AND PRETTY SOON AFTER THAT HIS
7 PARTNER, WHO WAS ABOUT TO RETIRE AT THAT TIME, GOT OUT OF THE
8 CAR AND I WAS THREATENED WITH BEING ARRESTED.

9 AND AT THE TIME I HAD NOT BEEN BACK FROM THE
10 SERVICE ALL THAT LONG AND I KIND OF GULLIBLY AND NAIVELY AND
11 INNOCENTLY KIND OF THOUGHT THAT THIS WAS A FREE COUNTRY AND I
12 WOULD BE ABLE TO AT LEAST, YOU KNOW, NOT NECESSARILY BECAUSE
13 I, SO TO SPEAK, PAID MY DUES BY BEING IN VIET NAM AS A
14 VOLUNTEER OR ANYTHING LIKE THAT. I JUST KIND OF THOUGHT THAT
15 BEING IN THIS COUNTRY, NOT NECESSARILY ESPECIALLY BECAUSE
16 IT'S PHILADELPHIA, THE CITY OF SO-CALLED BROTHERLY LOVE. I
17 JUST THOUGHT PEOPLE COULD SPEAK THEIR MIND AND WALK THE WAY
18 THEY WANTED TO WALK WHERE THEY WANTED TO WALK, AND ALL THAT
19 STUFF. I KIND OF SPOKE MY MIND.

20 I SAID, "LOOK, NOW, IF YOU WANT TO MAKE AN
21 ASS OF YOURSELF AND TAKE ME DOWN TO THE STATION AND WASTE
22 YOUR TIME AND WASTE MY TIME WHEN I HAVEN'T DONE A DAMN THING
23 WRONG, AND YOU KNOW IT AND I KNOW IT, YOU GO AHEAD."

24 I WAS KIND OF DUMB BECAUSE I DIDN'T REALIZE
25 HE WOULD MAKE AN ASS OUT OF HIMSELF AND DO THAT. IF I HAD

1 REALIZED WHAT WAS ABOUT TO HAPPEN I, OF COURSE, WOULDN'T HAVE
2 SAID THAT. BECAUSE AFTER HE TOLD ME I WAS UNDER ARREST --
3 BECAUSE I HAD HAD SEVERAL EXPERIENCES AS A RESULT, YOU KNOW,
4 OF SEVERAL YEARS OF DRINKING. I HAD BEEN LOCKED UP A NUMBER
5 OF TIMES, ALWAYS FOR SOMETHING MINOR, LIKE IN THE MILITARY
6 MISSING A MORNING MUSTER, AND THINGS LIKE THAT.

7 Q. MK. LEEDS, BECAUSE THE HOUR IS SO LATE AND
8 BECAUSE WE DO WANT TO GET YOUR TESTIMONY ON FOR THE RECORD,
9 IT WILL BE NECESSARY THAT YOU GET TO THE POINT OF YOUR
10 TESTIMONY AS QUICKLY AS POSSIBLE.

11 A. EXCUSE ME, OKAY. I AM GOING TO DEVELOP THAT
12 ABILITY TO NARROW EVERYTHING DOWN IN TEN OR FIFTEEN MINUTES
13 THAT WOULD NORMALLY TAKE 15 HOURS.

14 REPRESENTATIVE RICHARDSON: JUST TRY TO GIVE
15 WHAT HAPPENED --

16 REPRESENTATIVE HUTCHINSON: WHAT DID THE POLICE
17 DO?

18 A. WITHOUT BEING EVEN INSTRUCTED TO, I JUST
19 WENT AGAINST THE CAR IN A SEARCH POSITION.

20 THREE DAYS LATER I WOKE UP IN JEFFERSON
21 HOSPITAL WHICH WAS A COUPLE OF BLOCKS AWAY, APPROXIMATELY,
22 FROM 9TH AND PINE.

23 AFTER I WENT AGAINST THE CAR I STARTED TO
24 GET, YOU KNOW, KNOCKED AROUND WITH THESE THINGS THEY CARRY,
25 YOU KNOW, CALLED CLUBS OR WHATEVER ELSE YOU WANT TO CALL

1 THEM. I DIDN'T ACTUALLY LOOK AT THEM TO SEE -- I CAN'T USE
2 THE APPROPRIATE EXACT TERMINOLOGY BECAUSE I DON'T KNOW
3 EXACTLY WHICH CLUB-TYPE INSTRUMENT THEY USED; BUT BOTH OF
4 THEM WERE DOING IT ON ME LARGELY ON THE HEAD BECAUSE I ENDED
5 UP WITH A CONCUSSION, INTERNAL HEMORRHAGING, BRAIN SHIFTED
6 SLIGHTLY TO ONE SIDE, HOLES IN MY SKULL, YOU KNOW, MINOR
7 THINGS, IN OTHER WORDS.

8 THEY WERE MAINLY GOING ON MY HEAD, BUT THEY
9 WERE ALSO GOING ON THE REST OF MY BODY TOO, BECAUSE I HAD A
10 LOT OF OTHER BRUISES AND STUFF TOO. THIS IS NOT JUST FROM
11 KNOWING ABOUT MY BRUISES. THIS IS ALSO FROM OTHER TESTIMONY
12 FROM OTHER PEOPLE WHO WERE THERE AT THE TIME.

13 NOW AFTER THEY WENT, BOTH OF THEM AT THE
14 SAME TIME, ON ME LIKE THAT FOR A LITTLE WHILE AS LONG AS IT
15 TOOK TO GET ME ON THE GROUND, THEY HAD ME ON THE GUTTER
16 BETWEEN THE CURB AND THE CAR --

17 CHAIRMAN WHITE:

18 Q. WHAT DID THEY DO ONCE THEY HAD YOU DOWN ON
19 THE GROUND?

20 A. WHILE THEY WERE STILL GOING ON ME, WHILE
21 THEY WERE STILL GOING ON ME AFTER I WAS ON THE GROUND AND
22 VERY CLOSE TO BEING UNCONSCIOUS, THIS BROTHER THAT USED TO
23 LIVE -- I SAY HE USED TO LIVE IN THE BUILDING, HE ALSO USED
24 TO LIVE. HE IS NOT EVEN LIVING ANYMORE -- BUT HE WAS A
25 TYPICAL WORKING CLASS, MIDDLE-AGED MALE, LIVED IN THERE;

1 MAYBE A FACTORY WORKER, I DON'T KNOW EXACTLY WHAT HE DID FOR
2 A LIVING.

3 HE WAS COMING HOME FROM SEEING HIS WOMAN, HE
4 HAD MAYBE A COUPLE OF BEERS -- I DON'T KNOW WHAT HE WAS
5 DOING. BUT HE WAS WALKING HOME, ABOUT TO ENTER HIS
6 APARTMENT. HE SAW WHAT WAS HAPPENING TO ME AND HE LOOKED
7 OVER AT THE TWO COPS WHO WERE DOING IT TO ME AND HE SAID
8 SOMETHING TO THE EFFECT, "WAIT A MINUTE, THAT GUY LOOKS LIKE
9 HE'S HAD ENOUGH. I MEAN, HE'S NOT MOVING, NOT FIGHTING YOU."

10 SO AS EVERYBODY UNDERSTANDS WHO KNOWS THE
11 LEAST LITTLE BIT ABOUT THESE THINGS, THESE COPS COULD NOT
12 AFFORD TO HAVE AN UNINVOLVED WITNESS, SO THE OLDER COP GOES
13 OVER AND BUMPS HIM A COUPLE OF TIMES OVER THE HEAD. SO HE
14 WAS THROWN IN THE WAGON.

15 HE HADN'T DONE ANYTHING AT ALL.

16 Q. APPARENTLY FOR NO REASON?

17 A. EXACTLY, EXCEPT THAT HE WAS AN UNINVOLVED
18 WITNESS.

19 Q. DO YOU KNOW HIS NAME?

20 A. I DON'T REMEMBER HIS NAME. I WILL EXPLAIN
21 THAT, WHY I DO NOT -- I COULD GET THE FILES IF I HAD SOME
22 KIND OF SUBPOENA POWER OR SOMETHING LIKE THAT. I DID AT ONE
23 TIME UNTIL APPROXIMATELY A COUPLE YEARS AGO HAVE A VERY THICK
24 FILE ON THIS CASE.

25 THAT IS ANOTHER CASE OF POLICE ABUSE THAT I

1 WILL GET INTO. VERY BRIEFLY WHAT THAT WAS, A COUPLE YEARS
2 AGO ILLEGALLY AGAINST VIOLATING FEDERAL LAW, THE
3 PHILADELPHIA POLICE --

4 Q. YOU ARE GOING TO HAVE TO STICK TO THE POINTS.

5 MR. REILLY: THE OTHER ALTERNATIVE --

6 CHAIRMAN WHITE: IS TO GET YOUR RECORDS.

7 MR. REILLY: HAVE HIM SIT DOWN WITH COUNSEL AND
8 PUT THE THING IN ORGANIZED STRUCTURE. THE MAN HAS A STORY
9 WELL WORTH HEARING.

10 A. I HAVE A CONSIDERABLE LOT MORE. I WOULD
11 VERY MUCH NOT LIKE TO FEEL I WAS BEING SHOVED ASIDE. IF I
12 WILL HAVE ANOTHER TIME IN THE NEAR FUTURE.

13 CHAIRMAN WHITE: WE WILL BE BACK IN
14 PHILADELPHIA, I CAN ALMOST ASSURE YOU OF THAT.

15 REPRESENTATIVE HUTCHINSON: COULD I ASK YOU A
16 QUESTION?

17 CHAIRMAN WHITE: REPRESENTATIVE HUTCHINSON.

18 REPRESENTATIVE HUTCHINSON:

19 Q. THIS WAS IN 1967, AUGUST OR 1967?

20 A. CORRECT.

21 Q. YOU WERE BEATEN BY THE POLICE ALMOST
22 UNCONSCIOUSLY AS YOU TESTIFIED?

23 A. NO, NOT ALMOST UNCONSCIOUS. I WAS
24 UNCONSCIOUS FOR THREE DAYS. I WAS ALMOST DEAD, ACCORDING TO
25 THE TESTIMONY OF THE NEUROSURGEON.

1 Q. YOU DID SEE THIS GENTLEMAN WHO THEY BEAT ON
2 ALSO; AND YOU ENDED UP IN JEFFERSON HOSPITAL, RIGHT?

3 A. CORRECT.

4 Q. SUBSEQUENT TO THAT TIME BETWEEN 1967 AND THE
5 PRESENT, HAVE THERE BEEN ANY OTHER TIMES, ANY OTHER TIMES IN
6 WHICH THE POLICE BEAT YOU?

7 A. NOT PHYSICALLY.

8 Q. NOT PHYSICALLY?

9 A. I HAVE JUST HAD A SMALL NUMBER OF CASES OF
10 POLICE ABUSE.

11 MR. REILLY: DID YOU HAVE OCCASION TO SEEK
12 LEGAL REDRESS FROM THE POLICE ABUSE? DID YOU SUE THEM?

13 A. I DID HAVE AN ATTORNEY WHO ENDED UP SELLING
14 OUT MY CASE ON THAT POLICE BRUTALITY CASE. WHEN I ACCEPTED
15 HIM AS MY ATTORNEY HE WAS TELLING ME -- AND I WAS GULLIBLE
16 ENOUGH WHEN HE WAS TALKING ABOUT COLLECTING SOMETHING LIKE
17 \$600,000. I DIDN'T THINK THAT WAS ENOUGH FOR WHAT HAPPENED
18 TO ME. BUT I ACCEPTED HIM AS MY ATTORNEY.

19 I ENDED UP GETTING ABOUT \$4,000. BUT EVEN
20 IF I GOT FOUR DOLLARS OR FOUR CENTS, THAT WAS AN ADMISSION BY
21 THE CITY GOVERNMENT THAT THEY WERE SAYING, 'OH, YEAH, WELL,
22 YOU DO HAVE A GOOD CASE.'

23 REPRESENTATIVE COHEN: YOU GOT \$4,000 FROM THE
24 POLICE?

25 A. FROM THE CITY GOVERNMENT.

1 REPRESENTATIVE HUTCHINSON:

2 Q. SETTLEMENT?

3 A. SETTLEMENT TO KEEP ME QUIET. NOW THAT WAS
4 BEFORE I FOUND OUT THERE WERE ATTORNEYS WHO ARE REALLY
5 SINCERE ABOUT DOING THINGS.

6 MR. REILLY: WHAT WE HAVE HERE BEFORE THIS
7 COMMITTEE IS A FELLOW WITH A SERIOUS STORY TO TELL. IT IS
8 TOO LATE IN THE EVENING, IT IS VERY DETAILED.

9 I THINK WE OUGHT TO GIVE HIM THE OPPORTUNITY
10 TO SIT DOWN WITH A STAFF MEMBER, ORGANIZE IT, PUT IT
11 TOGETHER, GET THE EXHIBITS YOU NEED AND COME BACK AND HAVE
12 AN OPPORTUNITY TO ADEQUATELY PRESENT IT. I HATE TO SEE A
13 STORY OF THIS SERIOUSNESS JUST RUN OVER AT THE END BECAUSE IT
14 HAPPENS TO BE AT THE END OF THE SCHEDULED PUBLIC HEARING.

15 A. ALSO, A VERY BRIEF COMMENT: NOT THE
16 TESTIMONY ABOUT THE PHYSICAL BRUTALITY, THAT IS NOT AT ALL
17 CONNECTED WITH WHAT I CONSIDER VERY URGENT, THAT HAPPENED A
18 LONG TIME AGO; BUT PART OF MY OTHER TESTIMONY RELATES TO
19 THINGS I CONSIDER RELATIVELY URGENT AND CONNECTED WITH
20 POLITICAL ACTIVITIES IN THE CITY AT THIS TIME.

21 CHAIRMAN WHITE: WOULD IT NOT BE BEST, SO THAT
22 WE CAN GET THE FULLNESS OF YOUR TESTIMONY, THAT WE GET ALL OF
23 THAT AT ONE TIME AFTER YOU HAVE HAD AN OPPORTUNITY TO DISCUSS
24 THIS WITH STAFF AND TO PUT IT IN AN ORDERLY FASHION SO THAT
25 YOU CAN PRESENT IT?

1 MR. REILLY: ONE THING YOU WILL NOTICE IS THE
2 DIFFERENCE IN THE PRESENTATION. THE PERSONS WHO COME ON
3 INITIALLY HAVE WORKED WITH STAFF, SO THEY HAVE A CHANCE TO
4 GET THEIR THOUGHTS AND GET THEIR EXHIBITS TOGETHER. YOU
5 CERTAINLY DESERVE THAT OPPORTUNITY.

6 CHAIRMAN WHITE: MOST DEFINITELY. CAN WE DO
7 THAT?

8 MR. REILLY: GET TOGETHER WITH MR. BRASWELL.

9 A. HOW SOON WILL THE NEXT OPPORTUNITY TO
10 PRESENT THE TESTIMONY --

11 CHAIRMAN WHITE: THE COMMITTEE WILL MEET AND
12 DISCUSS THE NEXT DATES FOR THE HEARINGS. WE ARE DOING IT IN
13 PHASES.

14 A. SOMETIME THIS MONTH? I AM CONCERNED WITH
15 IT BEING SOMETHING LIKE WITHIN A VERY SMALL NUMBER OF WEEKS
16 INSTEAD OF A COUPLE OF MONTHS.

17 CHAIRMAN WHITE: OH, NO, WE WOULD HOPE TO BE
18 ABLE TO CONTINUE THESE HEARINGS LATER THIS MONTH, DURING THE
19 MONTH OF AUGUST. BUT I REALLY --

20 A. I HOPE SOME OF THESE THINGS CAN BE USED IN
21 REFERENCE TO THE POLITICAL FIGHT THAT IS GOING ON IN
22 PHILADELPHIA RIGHT NOW.

23 CHAIRMAN WHITE: WE UNDERSTAND THAT. YOU
24 SHOULD DISCUSS IT WITH STAFF SO THAT TOO COULD BE PRESENTED
25 IN SOME ORDERLY FASHION.

1 A. THANK YOU VERY MUCH.

2 MR. REILLY: THANK YOU.

3 (WITNESS EXCUSED.)

4 CHAIRMAN WHITE: THE HEARINGS CONDUCTED BY THE
5 SUBCOMMITTEE ON CRIME AND CORRECTIONS INTO CIVIL RIGHTS
6 VIOLATIONS BY LAW ENFORCEMENT OFFICIALS HERE IN THE CITY OF
7 PHILADELPHIA IS HEREBY ADJOURNED.

8 WE WANT TO AGAIN THANK THE PEOPLE HERE AT
9 THE HARROWGATE RECREATION CENTER AND OTHER STAFF MEMBERS FOR
10 THEIR HOSPITALITY THIS EVENING, AND TO THANK ALL OF YOU FROM
11 THE PHILADELPHIA COMMUNITY WHO HAVE ATTENDED THESE HEARINGS.
12 AGAIN, THANK YOU VERY MUCH, AND GOOD NIGHT.

13 ---

14 (ADJOURNED AT 10:00 P. M.)

15 ---

16 *****

17 *****

18	**	COMPUTER TRANSCRIPTION SYSTEM	**
19	**	DATE AUGUST 4, 1978	**
20	**	REPORTER LOUIS RICHARDSON	**
21	**	ADDRESS RAPID REPORTING SERVICE, INC.	**
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