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Frank L. Rizzo became Commissioner of the Philadelphia Police Department in 1967 and mayor of the city in 1972. The son of a police sergeant with 45 years service, Rizzo joined the force in 1943 and quickly rose from the ranks. He developed a tough, fearless image and even when he had climbed the advancement ladder strongly identified with the cop on the beat, becoming a symbol of his values and an articulate, if quick-tempered, vicarious outlet for his frustrations. Rizzo's authoritarian style of administration, swashbuckling methods, and insistence on personal involvement in line law-enforcement functions earned him both affection and reverence among the rank-and-file. An iron-fisted, powerfully-built man, his extraordinary physical vitality has frequently found an outlet in assaults and beatings of suspects. He is renowned for his brutality. One example will suffice here:

.....Like two weeks ago when he gathered a small audience of reporters in a corridor behind a City Hall courtroom and told them with great glee the story of a man he had beaten up. He told how he chased the man, caught him, and finally threw him to the ground.

"Then I come down with the old number twelve", Rizzo said, stamping his foot on the floor, "and the guy ain't walking right today." Then Rizzo did an imitation of a man who can not walk right.

"The Techniques of Frank Rizzo", Philadelphia Inquirer, August 18, 1967. Accounts of Rizzo's head-beating proclivities may be found in Greg Walter, "Rizzo", Philadelphia Magazine, July, 1967; Bernard McCormick, "God Bless Frank Rizzo!", Philadelphia Magazine, August, 1969 and especially Fred Hamilton, "Rizzo", (N.Y., 1973), Chapter III.

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Even before Rizzo became police commissioner, he experimented with the levers of power. He became aware early on that playing the part of a Savonarola, the charismatic scourge of permissiveness and immorality, brought the headlines for which he hungered as well as an adoring following - first in the Philadelphia ^{ethnic} ~~Italian~~ community and then among a sizable law and order constituency whose anxieties, fears and prejudices he echoed. In the 50's when Rizzo was on the rise, he became known as "The Cisco Kid" and "Rizzo the Raider" for his flamboyant raids on street gangs, illegal bars, private poker games and gambling parlors. Later he turned his attention to raiding and harassing coffee houses, "head" shops and similar havens of the counter-culture.

Rizzo's persecution of Philadelphia's mildly bohemian sub-culture demonstrated his feel for the exposed social nerves of his constituency. He also used the schools as a foil for his racism and crusade against "permissiveness." His most memorable foray in this sphere occurred in November 1967 when school officials were meeting with a delegation of high school students to discuss a demand for a black studies^S program. An estimated crowd of 3500 peacefully demonstrated on the outside in support of the students' demands. But when Rizzo arrived on the scene he put "riot plan number three" into action, ringing the perimeter of the area with squad cars and uniform^{ed} police wearing riding boots and leather jackets. Reportedly on a signal from Rizzo ("get their black asses") the patrolmen began to beat demonstrators indiscriminately. Ministers, school board officials, spectators and students were clubbed. According to the ACLU's Philadelphia Director, Spencer Coxe, "I, myself was there and saw children who were fleeing from the police lying on the ground, each with three patrolmen beating them unmercifully with clubs." School Board President Richardson Dilworth charged that Rizzo had instigated wanton police violence at a time when the demonstration was entirely ^{peaceful} ~~under the control~~ of

the ~~red~~ squad. Every black community leader in Philadelphia denounced Rizzo's tactics. Although Rizzo's matchless instinct for political survival led him to take some affirmative steps to appease his critics, he never tried to hide his disgust at the "permissiveness" of the Philadelphia educational establishment. His blood would boil at the mere mention of the name of Mark Shedd, nationally-known progressive educator and then school superintendent.

In his swift rise to power, Rizzo showed only perfunctory respect for professional standards of law enforcement. He was never deterred from attacking a target merely because he lacked legal justification and was advised by his lawyers his case would be thrown out in court. Or that even though he could count on a favorable lower court ruling from his network of judicial supporters, the case would be lost on appeal. He would nevertheless knowingly proceed without legal grounds because the raid, ~~the investigation~~, mass arrests, harassment, detention and interrogation were in themselves efficient ways of making the target's life miserable and generating headlines.

Rizzo instinctively knew that there was political gold in his blend of moralizing and law enforcement. But in order to extract it, he needed the help of the media, not merely as a passive conduit of the "news" which he could produce at will-- a raid followed by a press conference, a reckless courtship of danger, endless outpouring of good quotes (sometimes regretted or repudiated the next day), an eye-catching picture. In Rizzo's favorite Horatio Alger scenario of the poor kid who "came up the hard way," the press is cast in

^{a/} "Rizzo Retains Tough Image But Actions Soften Criticism," Philadelphia Bulletin, December 12, 1967.

^{b/} Another notable abuse of professionalism was the conversion discussed below of the department's civilian defense (CD) unit into a no-holds-barred red squad.

the role of an enthusiastic collaborator in an arrangement by which a continuing supply of "news" was exchanged for an equal amount of personal publicity. No police officer in America has ever wooed the press as ardently as Rizzo.^{a)} He systemically cultivated the company of reporters, did them favors and even obtained patronage sinecures for them to supplement their income.^{b)} And newspaper executives were his special pets.^{c)} By the end of the 60's, Rizzo had become an urban folk hero.

^{a)} The best account of Rizzo's relationship with the press appears in Fred Hamilton, Rizzo (N.Y., 1973), Ch. VI. A brief but spirited commentary on the same subject may be found in Joe McGinnis' "He'll Always Be In Car One" [More] December 1971.

^{b)} As Mayor, Rizzo continued this practice. He has been frequently charged with using the city payroll to subsidize his favorite newsmen and to neutralize his press critics. There are no less than 17 media people on the payroll, many of them in high posts calling for expertise in areas unrelated to their prior experience.

^{c)} See Lenora E. Berson, "The Toughest Cop In America Campaigns For Mayor Of Philadelphia," N.Y. Times Magazine, May 16, 1971. As Joe McGinnis writes in [More] ... "As Rizzo rose through the police department ranks; he learned a little about journalism too. Particularly that it does you more good to be friends with the editors than the reporters. By 1967, when he was appointed commissioner, Rizzo already had established the habit of a Friday night dinner each week with the two top editors of the morning Inquirer. Soon after, he realized that even editors had bosses and he began his courtship of Inquirer publisher (and now ambassador to England) Walter Annenberg. He would take Annenberg on nighttime patrols through the city and the publisher, titillated by the experience, would reciprocate with enthusiastic editorials. On those rare occasions when a critical comment would crop up in a reporter's story, a quick call from Rizzo to one of his dining companions generally straightened the matter out in short order."

During the late 60's, the police under Rizzo's leadership moved against a number of militant groups in a series of raids which fused into a clear pattern. On information ^{usually} ~~typically~~ supplied by a street tipster or casual informant, the police raid a private residence where they assertedly find explosives, guns or inflammatory literature. A torrent of Rizzo-inspired publicity links the raided premises and the seized material to a small group which, it is usually suggested, is part of a larger and more powerful movement. The front page stories^s, under screaming headlines, quote Rizzo's blood-chilling description of the plot, miraculously aborted, and the closeness of the city's escape from destruction. Bail is set at an astronomical level, but prosecution of the culprits somehow falters. After a long delay (months and even years) the back pages of the newspapers whose front pages had originally blazed with reports of the sensational arrests, limply record that the prosecution had been dropped for lack of evidence, the disappearance, unavailability or unreliability of the informer. Sometimes the defendants ultimately pleaded guilty to lesser charges (usually weapons possession) or one or more of them ^{is} ~~are~~ sentenced on other, unrelated, charges. When the smoke of a long series of raids cleared away, a crudely repressive pattern was starkly revealed. In a group of eleven raid cases, eight were dropped by the district attorney after the courts suppressed evidence obtained by invalid warrants.

The first raid took place August 12, 1966 when eighty heavily armed policemen supported by hundreds of back-up men, staged simultaneous raids on four premises in the ghetto area on North Philadelphia. Acting Police Commissioner Rizzo announced that the police had received a tip from an "informer" that the four apartments were meeting places for SNCC, and were being used as private "arsenals" (Bulletin, Aug. 13). The raiders were loaded for

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Acting on a tip received three days ago that the SNCC quarters were filled with 'hoards' of dynamite, guns, and ammunition, four 20 man squads wearing bullet-proof vests and armed with machine guns and other weapons struck the four buildings shortly after midnight. (Inquirer, Aug 12)

A total of nine persons were arrested, some of them at the time of the raids, others (who lived in the raided premises) gave themselves up later. Six were held in \$50,000 bail.

The raids netted 2-1/2 sticks of dynamite, found at one apartment, under a couch. At subsequent hearings, it was established that the dynamite had been placed under the couch by one of the nine defendants, Barry Dawson, who ultimately pleaded guilty to the charge of possession with intent to use unlawfully. Dawson a mentally unstable black ghetto dweller had hidden the sticks of dynamite (stolen from a

construction site) in the apartment. Hardly a world-shaking business, but Acting Commissioner of Police Rizzo, with the support of the media played endless variations on the theme that SNCC - and possibly other militant allies - was plotting to dynamite the city: the raids were "SNCC raids": the raided premises were "SNCC headquarters", and the defendants were "members" of SNCC. As a matter of fact, SNCC had no "membership" at that time, nor were any of the raided premises "headquarters". The most that can be said was that several of the defendants were or had been active in SNCC, and the raided premises were occupied or visited by persons active in SNCC. No evidence was ever produced that SNCC or any other organization was implicated in any way in unlawful activity connected with the dynamite, but Rizzo's brainwashing publicity had its effect; few Philadelphians who ^{read accounts of the} episode can be convinced that there was no "SNCC dynamite plot."

After noting that one of the arrested blacks had been detained in July 1965 in connection with a SNCC demonstration, Rizzo played on the radical ties of all of them:

Rizzo said all four are members of SNCC (Bulletin, Aug. 13)

Rizzo said the locations "are meeting places and also sleeping accommodations for members of SNCC, CORE, and the Young Militants." (Inquirer, August 14)

All of the suspects involved in the case, Rizzo said, have histories of connection with various civil rights organizations. (Inquirer, Aug. 16)

Rizzo said Ealy was active in civil rights movements (sic) in the city and was active in demonstrations at Girard College...Dawson, according to Rizzo, was involved in rights demonstrations at Cambridge, ~~MA~~, Chester, Pa., Chicago, and in Georgia. (Bulletin, Aug. 14)

He was careful to emphasize the gravity of the threat which his alertness had thwarted. The explosives he told the press, "were not to be used to play spin the bottle"; "the police department and the citizens of Philadelphia can rest easier at night" because "we've taken this dynamite from the hands of irresponsible people." Other statements in like vein:

"We established that there was dynamite in Philadelphia in the hands of several organizations. The information was accurate...we did find dynamite" (Rizzo, quoted in Daily News of August 13).

"Five sticks of dynamite could reduce Independence Hall to a heap of rubble." (Rizzo quoted in Daily News, August 15).

Rizzo called the suspects "hoodlums who are doing great harm to the civil rights movement." (Daily News, August 16).

Both Rizzo and Tate said they believe a major incident had been averted by the raid. (Daily News, August 16).

In 1967, Rizzo

discovered the great RAM (Revolutionary Action Movement) plots. On July 27 of that year, the police raided a house in the ghetto, seized and confiscated quantities of pamphlets, manuals and other literature of a group calling itself the "Black Guard", an alleged offshoot of the Philadelphia RAM, which had long been a favorite CD target. The raid followed the arrest of six officers and members of the group and was timed with inspired precision: on the very next day, July 28, 1967, Mayor Tate proclaimed a "limited emergency" (discussed below) which banned public meetings of twelve or

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more. Later on, Tate made a television announcement that the police were searching for "several large caches of dynamite, rifles, and other contraband", hidden by the arrested conspirators, a development which conveniently served as an answer to the widespread demands for an ending of the "emergency".

The black militants were initially charged with disorderly conduct and breach of the peace and, later, on the basis of the seized documents, with a conspiracy to incite to riot and related other seditious acts and plots, including a weird super-plot, described in this way by the police.

"Men were solicited to create a riot in the city of Philadelphia; to commit murder, to cause public chaos by destruction of private and public property, literally to destroy the city by violence. It was their intention that once riots started in the city that the poison would be distributed through their agent throughout the city for the purpose of placing it in the food and drink that would be distributed gratuitously to policemen assigned to the riot area."

In October the Totentanz took a wilder turn when more alleged RAM members were seized and charged with plotting

✓ "4 Racists Accused of Cyanide Plot to Kill Hundreds Here" ---, ---. Their bail was set at the prohibitive figure of \$10,000. "'Black Guard' Assailed in Court by DA", Philadelphia Evening Bulletin, August 9, 1967.

~~Scanned~~ (.)

Philadelphia Evening Bulletin,
September 27, 1967.

to dynamite public buildings and assassinate public officials, including Rizzo. All these heinous crimes were brought to the attention of the police by a 22 year old former RAM member, Hilton L. Jones, in a bid for leniency in a variety of pending criminal cases and in the hope of averting extradition to Georgia where he faced a 30 year sentence. All of the incitement charges were quickly dropped: The agitated rhetoric of the seized pamphlets could hardly be construed as an incitement to riot. The other charges (of dynamiting and assassination) were also dropped. In exchange the defendants pled guilty to breach of the peace and were placed on six months probation on that charge.

The police had another go at RAM in November 1968 when a detail from the CD squad descended on a house which Lt. Fencil ^{George} head of the red squad ~~it~~ said had been placed under surveillance for "a period of time"

as the suspected headquarters of the Black Guard. The police found in the basement an assortment of weapons - two rifles, two shotguns, two pistols, more than three hundred rounds of ammunition and several knives - as well as tape recorders, a

"Guerilla War Planned, RAM Informer Says", Philadelphia Inquirer, Oct. 16, 1967.

"DA Drops Case In RAM Plot Against Police", Philadelphia Bulletin, May 10, 1969.

"Pride At Stake in RAM Hearing", Philadelphia Inquirer, December 16, 1967.

Formally called R. G. Graham Defense (CD) & group

mimeograph machine and three cartons of Maoist literature. The police said they also found a bullet-riddled Philadelphia telephone directory indicating that the basement had been used for target practice. An alleged member of the group, Odell Rogers was arrested and held in the usual high bail - \$20,000.00 ~~in this case~~. Again, the prosecution was subsequently dropped. This ended the terrible expanding RAM plot - and RAM itself disappeared from the scene.

— "Bail Cut Is Refused Activist," Philadelphia Inquirer, November 13, 1968.

In 1969 came the next in this series of Plots heralded by multiple arrests, excited headlines, high bail and ultimately culminating in reduced or abandoned charges, recorded months and years after the event. On the night of April 9 of that year, ten members of the CD squad, led by Lt. ~~George Fencil, head of the unit~~, entered the apartment of Steven Fraser and Richard Borgmann, young activist members of the National Caucus of Labor Committee (NC-LC), an offshoot of SDS. Armed with a search warrant empowering them to look for explosives, the detail claimed to discover a can of explosive powder, three casings for pipe bombs, six metal pipe caps, a container of plastic explosive known as C-4 and a length of dynamite fuse.

During the period covered by this incident, the group was known as the Labor Committee of the SDS.

The Fraser-Borgmann bomb plot supplies a highly important clue to Rizzo's modus operandi. By 1969 many American cities had already experienced the full impact of SDS militance. After the 1968 Days of Rage in Chicago, the movement began to disintegrate into factions which either vanished, went underground or developed new structures and programs to implement their sectarian differences with the faltering SDS leadership, a wearisomely familiar phenomenon in the history of American radicalism. SDS, even in the days of its flowering, had never been very strong on the Philadelphia campuses and Rizzo found himself out of the swim. He needed a confrontation of his very own with white student militants. And to obtain the greatest mileage from a raid, the target had to be the SDS, identified in the public mind with violence and bombing. Philadelphia could ^{hardly} settle for less than the action-filled confrontations in New York and Chicago. But Rizzo had to make do with a small splinter group, formed out of the ashes of SDS and doctrinally non-violent. It thus became necessary both to invent the plot and to attribute it to the virtually inactive ^{and now isolated} SDS. Rizzo's problem was admirably summed up by Bernard Segal, ^{one of the defendants} lawyers ^a in 1969 interview:

"Rizzo is a 1969 guy. He's very modern, like the guy who wants to be the first on his block to have a (late model) car. And it bothered him that other cities were having trouble with SDS but Philadelphia

wasn't. So he decided to have trouble with
SDS.

The Fraser-Borgmann affair commands our attention for another reason. It illustrates what may be called the "serial principle" in bomb plot manipulation. It would never do to create for the press and public two or more such plots at the same time. The fear engendered by such tactics might escalate into panic and self-help. Besides, the ultimate impact of multiple abandoned prosecutions (no ^{simultaneously} matter how long delayed or muffled) might result in a permanent loss of credibility. Bomb plots had to be "discovered" one at a time, selectively distributed over a range of militant targets, and later buried in the same serial fashion.

Quoted in Bernard McCormick, "God Bless Frank Rizzo!", Philadelphia Magazine, August 1969.

The CD had no need to strain to avoid recurrent raids against the same target. One raid usually destroyed the group or hastened its demise.

When harassment, bogus arrests and smear press releases failed to stop the NC-LC there remained only the tried and true weapon of the bomb plot. For two weeks, the police maintained an around-the-clock surveillance of the Fraser-Borgmann apartment. Then, following the familiar lines of the bomb plot script, Fencel's men struck, "on a tip from an unnamed informant" that explosives were stored there. At the time of the police entry, Fraser was present along with two visitors; Borgmann entered the apartment and was apprehended as the police were leaving. The search procedure was odd, to say the least. Fencel insisted that the two visitors remain seated in the living room under guard. But, they could hardly have been considered dangerous since they were only visitors: indeed their cases were dropped after a preliminary hearing. Fraser had to chase around the five room, two floor apartment

after the eight policemen engaged in the search. The incriminating explosives were "discovered" in or underneath a refrigerator in a corner of the kitchen, a location which enabled the eight policemen to "find" the contraband without being seen simply by walling the corner off with their massed backs. ~~ff~~ Then a most felicitous interruption took place: the outside bell rang announcing a caller.

Fraser's request to answer the door was rejected; a policeman did the honors and greeted a television crew from Channel 3, KYW-TV. Fraser demanded that the crew leave but Fencel permitted them to stay and indeed appeared to have been expecting them. For the remainder of the search, they put themselves at Fencel's disposal filming and recording only what the lieutenant authorized. Fraser pleaded to be allowed to present his group's position on the subject of violence for telecast but was denied access to the crew on Fencel's orders. (Subsequently the defense lawyers were told by the TV station that the film, which was telecast on the night of the raid, had been lost when they asked to see it for the purpose of using it as evidence.) The police also directed the crew's attention to the litter in the apartment including objectionable literature (a substitute for the drugs which plays a supporting role in the CD's usual weapons and explosives raids). And, par for the course, the lieutenant took possession of address lists of Labor Committee members and supporters.

Rizzo held a press conference on the day after the raid and recited his now predictable lines: Those arrested "could have caused great grief in the community and great damage. People like this should not be permitted to roam the streets". The Commissioner displayed sixteen photographs of the messy apartment and two separate close-up pictures showing four paperback novels with titles like, "My Body is Waiting". "Just look", he said, "at the filthy conditions in those pictures. They're self-explanatory". To the fastidious and puritanical chief "filthy conditions" and dirty books were a nightmare of degeneracy. Given such squalor who needed further proof of guilt?

At the preliminary hearing on the case, a set of seized bomb parts mysteriously made an appearance in police photographs as an assembled bomb. But even stranger was the police failure to take fingerprints. The following colloquy between defense counsel ^{David Rudovsky} and Lt. Fencel tells its own story.

Q. "Did you or any of the other officers who handled these items pick them up either with tongs, tweezers or with handkerchiefs in order to preserve whatever fingerprints there might be on those cans to help identify the individuals who had been handling or having possession of the particular item?"

A. "No, we did not."

Q. "Why not?"

A. "We just did not do it."

At a bail hearing Fencel asked for \$25,000.00 bail for each of the defendants and asserted that the Labor Committee was part of an "East Coast Bomb Conspiracy" centering in Boston whose first priority was the demolition of national monuments in Boston and Philadelphia. He added that Fraser had been present at a Boston meeting of the "Conspiracy" the preceding March. The court granted Fencel's bail request but on an appeal which reduced the bail to \$10,000 each, Fencel admitted that he really didn't know that such a gathering had ever taken place let alone that either Fraser or Borgmann attended. All this happened in the summer of 1969. Almost Two years later, in 1971, the case was dropped on the ~~alleged~~ grounds that the prosecution was unwilling to reveal ^{the} identity. Thus ended the great Fraser-Borgmann bomb plot.

of its alleged informer

VI

By late 1969, the age-old boy-who-cried wolf dilemma was beginning to emerge. Philadelphians, constantly congratulated by their police commissioner through orchestrated media hosannas on their narrow escape from terrible slaughter and annihilation were beginning to wonder whether the whole series of bomb plots were not merely variants on the same hoax-like theme. But, 1969 it will be recalled, was the year of the Panther.

← ~~The~~ campaign of harassment against the Panthers - selective law enforcement, illegal searching, arrests on pretext, and police brutality continued throughout 1969 and the spring of 1970. In March of 1970, Fencel's squad raided another "fortress" in North Philadelphia and arrested eleven persons on various charges including burglary and violation of the Uniform Firearms Act. Fencel told the press that seven of the suspects were members of a group "possibly allied with the Philadelphia Black Panther Party" and that the other four were "believed to be members of the Black Panther Party." In a public statement dated March 13, 1970 the Philadelphia ACLU reacted strongly: "These are irresponsible, and malicious statements. Irresponsible because the police apparently do not have the facts and use words like 'possibly' thus doing maximum damage without running the risk of being called liars. Malicious because organizational affiliations have no relevance to the validity of the arrest and charges. ...The purpose is to smear an organization not in itself involved in alleged criminal acts..."

By 1970 the ~~en~~ raid, typically triggered by the "probable cause" of stored arms and explosives, had become the predictable police response to Philadelphia's militant or extremist political sector. SNCC, SDS, CORE and RAM had all, at one time or another, been singled out for this treatment.

b) Every raided premises is either a "fortress" or an "overland."

6) "7 Seized in North Philadelphia Raid," Philadelphia Bulletin, March 11, 1970.

with the Panthers
~~predictable~~
The confrontation came at 6:00 A.M., Monday, August 31, 1970

when three separate police teams of about 45 heavily armed police stakeout men, each accompanied by 8 to 10 detectives under CD leadership simultaneously raided Panther party offices on Wallace Street in West Philadelphia, Columbia Avenue in North Philadelphia and Queen Lane in Germantown. As in all of the major Philadelphia raids, Rizzo mobilized a corps of newsmen and photographers to record and photograph the confrontations.

The raids climaxed a bloody August weekend in a city, already tense and fearful over a Panther-sponsored ^{national} "Peoples'

New Revolutionary Convention" scheduled for the

following weekend (September 5 to 7).

On Saturday

August 29 a policeman, Sargent Frank Von Colln, was killed and another policeman was injured in a bungled attempt to blow up a police guardhouse in Fairmount Park. Five suspects were later arrested. Rizzo described the killers as members of the "Black Unity Council" and "revolutionaries" who were members of a national conspiracy to kill policemen.

On Sunday night, in a wholly unrelated incident, two highway patrolmen were shot and wounded by unidentified gunmen. In the wake of the Sunday shooting of the two patrolmen, Rizzo called for more policemen, equipment and arms "to stop them". He added later, "It's sedition. This is no longer a crime but revolution. It must be stopped even if we have to change some of the laws to do it." This

On another occasion Rizzo exclaimed to newsmen:

"Why don't they call us and tell us they want to kill us? Why don't they tell us they want to have it out? We'll meet them any time. We'll go on their terms. If they say they'll have ten men...we'll go with two. Do they have to be cowards? Aren't 5 to 1 odds good enough for them? These creeps lurk in the dark...They should be strung up, I mean within the law... This is actual warfare. I'll tell you one thing, the Philadelphia Police Department won't tolerate it here, if the courts and everybody else do."

Quoted in James Higgins, "Philadelphia Bommerang", Nation, October 12, 1970.

outburst was hardly justified: neither Rizzo or
anyone else ^{has ever} ~~before~~ claimed that the Sunday shooting
was the work of black militants.

As a result of the Monday dawn raid, fourteen persons were arrested and three policemen were wounded, none seriously, by shotgun pellets fired by the Panthers in one of the raids. None of those arrested, it should be noted, were ever charged with complicity in the weekend shootings. The fourteen Panthers were charged with a variety of assaults all of which grew out of the raid. Only one charge, violation of the firearms code, was based on conduct which anteceded the issuance and service of the search warrant. Yet the raids on all three buildings were authorized for the claimed purpose of obtaining evidence in aid of the police hunt for the fugitive killer of VonColln.

In offering an affidavit of probable cause to justify the search, the police stressed the fact that one Alvin Joyner, an alleged confessed triggerman, had three weeks earlier told his brother that he had seen guns and grenades at the Panthers' office. But the police never explained why weapons assertedly spotted at the Panther office on Wallace Street were a reasonable ground for the triple raids three weeks later. If these

"Report of Panther Weapons Led to Raids, Rizzo Says", Philadelphia Inquirer, 4/14/70.
Subsequently the police retracted their claim about Joyner's role and said that he was merely "bragging".

weapons were indeed used in the crime, why should the criminals return them to the Panther office? It need only be added that none of the weapons yielded by the raids were linked by the police to the killing.

The justification for the raids is questionable on its face. A more persuasive but concealed explanation for the raids is Rizzo's ~~fervent~~ rage at the Panthers, a rage whipped to a firestorm by the VonColln killing. Perhaps the clearest demonstration that it was a vengeful fury and not law-enforcement which inspired the raids is the manner in which they were conducted and Rizzo's response to his critics.

With respect to the Wallace Street raid, the evidence is in dispute as to whether the police first identified themselves and sought peaceful entry as legally required. The official police version offered by Lt. Fencel is that a CD officer axed down the door only after entry was refused. The

occupants insist that the doorbell was operative and that no attempt was made by the police to identify themselves. A story in the Philadelphia Bulletin published on the day of the raid said that a police inspector went to the front door with an axe. After hitting it repeatedly with heavy blows, he was unable to get through what appeared to be a series of doors behind it. At that point one of the policemen called out: "Police, we have a warrant, throw your weapons out now." The reporter was later visited by two police investigators and disavowed the printed version as garbled by the rewrite desk. But, the early hour at which the searches were made, the fact that the raiders were specially chosen for their marksmanship and wore bullet-proof vests and Rizzo's taunting of a number of Panthers as "yellow" because they dropped their guns in response to a police order rather than engage in battle all suggest that the raids were planned - a pretext to provoke a shoot-out.

└ "As the Philadelphia ACLU noted in a public statement on September 3, 1970, "Such remarks suggest a desire to return to primitive frontier-style 'justice'. Moreover they are an open invitation to insurrection and guerilla warfare."

This police misconduct stirred a revulsion which recalled the reaction to the bloody November 1967 police assault on the high school demonstrators. Those who had uneasily accepted the claims of Rizzo's supporters that after all he had effectively pacified the ghetto were swept by shame and indignation. It was one of those traumas which bring a perception of the frightening meaning of an entire course of conduct, a series of acts which considered separately might be dismissed as ill-advised but well-intentioned.

The vengeful thrust of the raids was confirmed by a Panther press release of September 1, stating that the raiders had not merely removed the guns and ammunition specified in the search warrant, they cleaned out all three search sites: furniture, bedding, clothing, file cabinets, party records, and even in some instances refrigerators and stoves. In a rampage of destruction, they demolished the cinder blocks with which the Panthers had replaced storefront windows, and knocked out house windows and covered them over with sheet metal. They even ripped out pipes in some of

Grenades were also mentioned in the search warrant but none were ever found. Pistols and rifles were seized, none of which matched the murder weapons. The law is plain that only those items can be seized which are listed in the warrant unless there are other items on the premises which may be the fruits of a crime.

the bathrooms. They made off with typewriters, tape recorders, cameras and a duplicating machine as well as a sum of money - estimated by the police at \$1,067.00 and by the Panthers at between \$1,500.00 - \$1,700.00. ^{a/}

When the Panthers made these charges, Rizzo denied most of them but later conceded the full scope of their claims when they were verified by the press. He explained to reporters that these seizures exceeded his orders and added, "I apologize for that". But he quickly corrected the impression that he was apologizing to the Panthers. He had intended, he explained, only to apologize to the reporters for doubting their word. ^{b/} As for the Panthers, Rizzo made his views clear in a statement after the raids:

"We're dealing with a group of fanatics, yellow dogs that they are. We are prepared for any eventuality. We are dealing with psychotics and must be in a position to take them on. These imbeciles and yellow dogs...we'd be glad to meet them on their own terms. Just let them tell us when and where." ^{c/}

^{d/} Assistant District Attorney Sprague admitted the illegality of the search. "The items that were not contraband or connected with the shooting of VonColln or the shooting of the police should not have been taken."

^{e/} "Rizzo Orders Return Of Panthers' Property," Philadelphia Bulletin, September 2, 1970

^{f/} This statement is another revealing clue that Rizzo had hoped to provoke a shoot-out. The Commissioner apparently realized that he had said more than was safe and subsequently claimed that he had been misunderstood. See Philadelphia Bulletin, September 1, 1970.

In May, 1973, Common Pleas Judge Edward J. Bradley ruled that the 1970 entry and search of the Columbia Avenue house were illegal and granted the defendants' motion to suppress the evidence obtained in the raid.^{a/} But by that time, the Philadelphia Panthers had been enormously weakened. Thus ended the great Panther plot to assassinate policemen.

Rizzo's last plot, before he launched his mayoralty drive, appropriately enough made him a target, an ingredient of personal danger which improves the savior's recipe. On Monday, November 31, 1970, the Philadelphia Daily News splashed over its front page the headline,^{b/} "Executive Probe Bares Plot to Kill Rizzo," underneath a sub-head, "Viet Cong Agent planned Swap for Angela Davis," appeared a picture of the Commissioner and Miss Davis.. According to the story the police were conducting a "massive investigation" of a plot to kidnap Rizzo and hold him hostage for the black revolutionary. An Oriental "self-professed Viet Cong agent" was the mastermind (continued next page)

^{a/} The raid on the Wallace Street house has yet to come to trial.

^{b/} All quotations which follow are from the Daily News story.

of the plot which included, first, bombing of a district police station and then police headquarters. The kidnapping was to be sandwiched between the two bombings and, as an alternative to trading the Commissioner for Miss Davis, he was to be used "for target practice" in the group's basement headquarters. The wily Oriental mastermind had, "with the use of various drugs organized a 'People's Liberation Army' comprised of a group of militant blacks to carry out the reported scheme."

The police had uncovered this hair-raising super-plot in the course of an investigation of the death of two men believed to have been assassinated by the plotters because of their threatened defection. To obtain evidence the police "have conducted at least eight raids, all cloaked in secrecy, in which literature, weapons, ammunition and explosives have been confiscated" and stored at police headquarters. The bombing was scheduled for Christmas Day, 1970, which came and went without mishap. Thus ended the great Oriental bomb-cum-hostage-exchange-assassination plot.

> No arrests were made nor were any details of the plot made public thereafter.

VIII

While Rizzo was perfecting his bomb plot-raid formula against blacks he did not neglect radical white groups. Almost legendary is his pursuit of a Philadelphia radical, William Biggin, his miniscule movement and its organ the Free Press.

The attack on Biggin and the Free Press graphically illustrates the way in which the police, using the weaponry of "total surveillance" can isolate and squeeze a target group and its members in a completely lawless ^{fashion}. The paper itself became a high priority target because of its campaign against police abuses. ^eSurveillance cars followed Biggin and his associates to and from the printer and maintained an all-night watch when the paper was being prepared for press. The tabloid's reporters were surrounded at demonstrations by ~~CO~~ men who prevented them from circulating, communicating with others or even observing the demonstration. Editors of the paper were repeatedly arrested on pretexts and sometimes beaten.

The police moved into surveillance quarters, in one case across the street from the Biggins and in another next door to one of their associates, Roger Taus, a political science instructor. They not only made their presence known, but without a search warrant, broke into the locked homes of both of them. On one of several occasions when the police broke into ~~Taus's~~ ^{Taus} apartment, they pointed a gun at him, ordered him not to move and then left. They twice broke into Biggin's locked car. They also gave the full treatment of

These and related harassments described in the text are taken from the undisputed allegations of a legal complaint, discussed below.

stationery and moving surveillance to David and Leslie Gross, Biggin's friends and co-workers. On one occasion, three plainclothesmen entered their apartment with a search warrant authorizing them to seize drugs allegedly kept on the premises. They found no drugs and instead carried away two "subversive" books belonging to the Free Press.

In the summer of 1970, Rizzo let it be known that his May threat to "get" Biggin was not idle talk. Rizzo saw Biggin as the leader of Philadelphia's "hard core revolutionaries", an adversary whom he itched to take on. If New York had its Mark Rudd, Chicago its Rennie Davis, Berkeley its ^eJerry Rubin -- well, Philadelphia had their equal in Biggin. He would, in man to man combat, have it out with this master ideological criminal, this "creep" ...

Rizzo moved in for the show-down at the pass by feeding to ^ateam of Bulletin reporters material from CD files about Biggin and all of his associates. One of the reporters was Albert Gandiosi, ^(a)subsequently the manager of Rizzo's mayoralty campaign and thereafter a ^{functionary} in the administration. On July 28-30 Bulletin ran the end product of this collaboration, a detailed sensational series called "The New Revolutionaries" which made no attempt to conceal its "law-enforcement" sources. The range of the 10-article series can be gleaned from the headlines:

"Head of Rebel Paper is Central Figure in New Left Here"

"100 Here Called Hardcore Revolutionaries"

"Young Activists Scorn Old-Line Communism"

"Visitor Reports Talk of Bombs in Powelton"

"Powelton Man Denies Charges About Bombs"

"City Social Worker David Gross Doubles as Free Press Staffer"

"SDS Member is Veteran of 101st Airborne Service"

"Petite New Leftist\$ Studied for a Year in England"

"Dougherty High Dropout is a Free Press Editor"

"Free Press No. 2 Man Assails Bicentennial"

For all of the police bias reflected in the series, there was only ^{one} specific charge of violence or law-breaking, a "confession" by one Terry Caldwell, a drifter from the west coast which claimed that early on July 1970, he had been requested by Kenneth Moberg, a psychology instructor and a leader of a neighborhood group to teach a class in techniques for detonating explosives and ^{to} mark on a map selected targets for destruction. Biggin was dragged into the plot by allegations (in an affidavit to support a raid application ^{made} jointly by the FBI and CD) that he, along with Moberg, were reported by an informant to be listed among Caldwell's "contacts" and, in the language of the affidavit "are known to associate with militant action groups whose avowed purpose is the destruction by the use of explosive devices of representative targets of the present system of governmental establishments." (sic).

~~FAULTLESS~~

Not only was the raid quite ^{FAULTLESS} but Caldwell told the raiders, "I talk too much. I've learned a good lesson to keep my mouth shut. I ^{didn't} think they were going to blow anything up. They were all intellectuals". After interrogation by the FBI and CD, Caldwell was told to leave the city and he swiftly departed. What the police failed to reveal, and apparently did not want Caldwell

to reveal, is that he had signed a statement implicating Moberg and his group under duress. After he left town, he transmitted a repudiation of his initial "confession" in which he said:

"The police made it clear to me that if I signed the statement then they would not defer charges against me for possession of the few grains of marijuana they claim to have discovered somewhere around the apartment building"

He further explained that he had signed the original statement because his wife was pregnant and he was eager to leave the city.

Rizzo disputed the contention that the entire affair was a frame-up and insisted that Caldwell was not a police plant and that he had "confessed" voluntarily. But the fact is that ^(neither) Moberg nor Caldwell was ever charged with law violation in connection with this incident. And the labored attempts to enmesh Biggin as a secret confederate of Caldwell's smacks of one of the CD's most overworked gambits. This ended the great Caldwell-Moberg bomb plot.

But Rizzo's pressures bore fruit. The printer who was named in the newspaper series refused to print any more issues of the Free Press. A principal advertizer was phoned by the police and warned to stop buying space in the Free Press. Their calls were supplemented by the intimidating presence of police cars outside the establishment. Several other regular buyers of advertising space followed suit. Two activists were fired, one from a city job and the other from a publishing house. Temple University terminated Biggin's scholarship and a proceeding was initiated, allegedly at the insistence

Moberg strongly denied the charges and insisted that he was opposed to violence and did not support the use of explosives.

of Rizzo, to deport Biggin, a Canadian national.

After the Panther raids at the end of August, 1970, Rizzo made it clear that he was ready for the final Philadelphia is-not-big-enough-for-both-of-us duel with Biggin. In a public statement he proclaimed that Biggin and the Free Press were "more dangerous than the Panthers." Biggin could hardly afford to ignore the emerging signs of a bang-up raid. He and his collective had only barely escaped a bomb-plot raid based on what a "highly reliable source" had told Rizzo about the March 4 meeting and that it was only a matter of time before another "highly reliable source" would bring him information which would enable him to save Philadelphia from a holocaust by a preventive raid which would administer the coup de grace to the group, already almost wiped out by harassment. The Free Press desperately sought legal sanctuary and in November its attorneys, David Kairys and Peter Gale, applied to the federal court for protection against police harassment. At a trial the court upheld the allegations of systematic police harassment of Biggin and his group and issued an order barring police from further interference with the exercise of rights of association and expression. In late 1971, the plaintiffs were forced to file a petition seeking to have the police adjudged in contempt of the court's original order. And, in the fall of 1972, after Rizzo had long since ascended to the mayoralty, the police department through its counsel signed a consent decree which in these words banished the spectre of another bomb-plot raid:

The police will not enter the homes of the plaintiffs nor limit their freedom of movement, without a warrant, unless such warrantless action is preceded by the existence of sufficient evidence that will support a warrantless entry of limitation of freedom in accordance with the provisions and application of the Fourth Amendment of the Constitution of the United States. The police will not harass plaintiffs or violate any of their rights guaranteed under the Constitution of the United States.

"Rizzo Charges Plot Against Police," Philadelphia Evening Bulletin, Sept. 1, 1970

Rizzo's tactics inevitably included a variety of intelligence techniques in addition to those already described. The entire spectrum of protest groups was infiltrated by CD undercover informers; the tapping of telephones was routine as was surveillance in unmarked cars. Here is a description by Attorney Jack Levine of the manner in which meetings were monitored:

"The police bring the works, portable tape recorders, movie and still cameras, and cameras that appear to be television tape cameras. The Civil Disobedience officers bring the tape recorders to all the public gatherings and indoor meetings, which they attend. At the indoor meetings, they sit very unobtrusively in the audience with the recorders on. Occasionally members of the audience draw attention to the fact that they are there with their tape recorders, and when that is done they frequently get up and leave." J

An extraordinary exhibition of Philadelphia's surveillance practices was presented to the American public in the NBC telecast, "First Tuesday" of June 2, 1970, in which Rizzo played the leading part with Fencel in a supporting role. There on the television screen a peaceful demonstration is pictured. Fencel and Rizzo are engaged in identifying the participants who are also being photographed by police cameras on closed circuit television. Fencel enlightens Rizzo about the dramatis personae. Rizzo observes of one picketer. "That little girl over there, she's at all these

¹Outdoor photography is discussed in greater detail below.

demonstrations."

Fencel replies, "Yeah we got her name" and he then proceeds to identify by name six other demonstrators. As we are jolted by the spectacle of police officials engaging in public surveillance of peaceful protestors and visibly preening themselves on their ability to identify their subjects - a boastful reassurance to the viewing audience that in Philadelphia nothing escapes the Argus-eyed police - we are again shocked by films of the files of dissenters many with their names showing on the screen. Now Fencel takes over, his voice aglow with ^{professional} pride.

"We have made a record of every demonstration that we've handled in the city of Philadelphia and reduced this to writing, first by report and then taking out the names of persons connected with the different movements. We have some 18,000 names and we've made what we call an alphabetical file. We make a 5 by 8 card on each demonstrator that we know the name and so forth that we handle. This card shows such information as the name, address, picture if possible, and a little run down on the person...which group he pickets with and so forth. Also, on the back of the card, we show the different demonstrations, the date, time, and location and the groups that the person has picketed with. We have some 600 different organizations that we've encountered in the Philadelphia area. We have such organizations as the Klu Klux Klan, which we... as you can see, we have quite a membership there. And all the way over to the other extreme, the left organizations such as the SDS and so forth. The most active one right now is the SDS organization...both the Labor Committee, the Weatherman organizations and a lot of the peace groups are extremely active at this time...the Student Mobilization Committee, the Friends' Peace Committee, Quaker Action Groups and so forth."

It is not merely that there is no legal justification for the surveillance and compilation of the names and associations of individuals who are engaged in a non-violent protest. What is extraordinary here, is that two police officials compounded the impropriety of their surveillance by publicly exposing their targets, without bothering to ask for their consent of course, to a nation-wide audience under circumstances which inevitably invite the public condemnation of their activities - else why would the police be so eager to identify them?

And what about the 18,000 file cards?

Many of the cards were compiled from conventional sources: press clippings, license plates, photographs, informer reports, school and university, employment, credit, medical and related records, investigative interviews with landlords, friends, taxi drivers, partents, etc. But the most fertile source of the 18,000 cards was, until 1971, information extracted from those held at police precincts.

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The police routinely
filled out an "Intelligence Summary" from all persons
information required of
taken into custody while engaging in unpopular political
activities. The completed forms included such information
as "Organizations" to which the subject belonged, his
political affiliations, the people he associated with, his
religion and his education. The police *demanded answers*
to the questions *from* the Intelligence
Summary not only *from* persons arrested in connection
with criminal charges but also *from* those merely taken
into custody and subsequently released without any charges
being lodged against them. These individuals were told that
they would not be released until they cooperated and were
often held in police custody for substantial periods of time
for this purpose. Individuals who were placed under arrest
and refused to *fill out* the Intelligence Summary were then charged
with resisting arrest.

In the course of the interrogation to fill out the blanks
in the Intelligence Summary, the police made it a practice of
indicating to the subject of the interrogation their dislike for
and opposition to his political views. They also stressed that
it was necessary for police purposes to know about his membership

in unpopular political organizations and made no bones about the fact that they were maintaining close surveillance and observation over the subject's political activities and warned him that unless he ^{supplied the requested} information he would be faced with further criminal charges such as resisting arrest.

This Intelligence Summary was conceived for the express purpose of building dossiers. In the late sixties the dragnet detention and arrest became commonplace in Philadelphia; mass arrests (from three to thirty) were routine and individual harassing ("investigatory") arrests even more so - especially for Panthers who were usually detained on a pretext from a half hour to three hours and then released. Every such arrest or detention which could be plausibly related to a political or "cause" activity became the basis for compiling an Intelligence Summary, retained in the files even if no arrest was made.

Here is a representative account, by a member of a peace organization of how this procedure operated:

"Well, when we were arrested at that time, they brought us into a room and began taking pictures of the people there. Then they sat everybody down and asked them a whole series of questions, including what organizations we belonged to, what religion we were, nationality and so on. And it became apparent right away that this wasn't part of the normal booking procedure, but was really an intelligence system. And a number of us refused to answer the questions and those of us

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who refused were charged with resisting arrest, which is really strange. Some of the people at the demonstration refused to go to the paddy wagon and went limp and had to be carried and, because so many people were arrested, the police were at a loss to who had walked and who hadn't. So they decided to charge those people who didn't answer the questions with resisting arrest. In other words, the punishment for refusing to answer the questions was resisting arrest even though there were people who by their behaviour might be considered to have been resisting arrest who weren't so charged.

In 1970, the Philadelphia ACLU sued to restrain the use of the Intelligence Summary as unconstitutional. In June 1971, as a result of the suit, the Police Department agreed to abandon the use of the Intelligence Summary.

X

Inevitably Rizzo's abuse of power gave rise to strong opposition. His punitive response to the opposition is an integral part of the intelligence formula for obtaining power. Rizzo's use of police surveillance files is illuminated by the context of this response to which I now turn.

In the spring of 1970, thirty-two Philadelphia groups organized COPPAR (Coalition of Organizations for Police Accountability and Responsibility) to combat oppressive practices by the police. COPPAR held its meetings at the Spring Garden Community Center supported in part by the United Fund. In 1971, the Center's director who requested a \$50,000.00 contribution was informed by the Fund that Rizzo had called and demanded that the Center be denied all financial support because COPPAR was permitted to meet there and the director had become "too involved" with COPPAR. The director was told that he would receive no funding unless he disassociated himself from COPPAR.

COPPAR's co-chairman Floyd Platten was employed by the city water Department but was removed from his job, without being fired, and given no duties for a period of nine months until a Federal court ordered that he be restored to his duties because he had been denied a statement of reason for his

treatment. Not that the police were not vigilant in searching for reasons. During the period of his idleness Platten was frequently trailed by CD cars. He also learned that Fencel's file on him had been turned over to his superior and his phone tapped. COPPAR office phones were also tapped and the police watching project, Operation Alert, organized by COPPAR's co-chairman Mary Rouse was infiltrated by a CD informer, while participants in the program were regularly identified from license plate numbers. On one occasion, a police informant confessed that the police used a pretext that Mrs. Rouse's life had been threatened to trail her and prevent her from participating in a demonstration against police abuse. Mrs. Rouse, herself a former employee of a Philadelphia detective agency, has described police surveillance practices against herself and her organization in a television program:

"Well, it's just gone from one thing to the other, from stationary surveillance on my house and center to moving surveillance of myself and people who visit my home, the censure of my mail, the tapping of my telephone and all kind of threats, you know, when you can hear teletypes going in the back of the conversation."

Rizzo has not only tried to make life difficult for his organizational foes but also for individual lawyers who, in their professional capacity, oppose the police. There ~~was~~ *was*

no city in the United States where legal advocacy on behalf of minorities and the poor had been under such pressures - including Police surveillance, smears and abuse ~~not the work of attacks~~ by lower court judges who ~~have~~ permitted themselves to become instruments of Rizzo's program of reprisal.

The OEO-funded Community Legal Services was subjected to constant pressure because it undertook the defense of the rights of victims of police abuses. Its phones were tapped by the Internal Security ^{Division} of the police department under ^{Chief} Inspector ^{Scafidi} and Rizzo tried by an appeal to Washington, to cut off its funds. Similar tactics were used in 1967 to kill a law suit filed in response to the November police attack on high school demonstrators already discussed. The Commissioner first charged that one of the lawyers was a Communist and called Washington to demand that the OEO sponsorship of the law suit be withdrawn. A second lawyer suddenly found himself in tax trouble and a third was faced with trumped-up charges of receiving stolen goods. The Community Legal Service has been the target of repeated attempts at infiltration.

Rizzo invariably tried to attack his critics as subversive. For example, he let it be known that Spencer Cox the energetic director of the Philadelphia ACLU, one of Rizzo's

Philadelphia's United Fund was attacked by Rizzo in 1969 because it helped support agencies which hired lawyers, in Rizzo's words, "to take us on" and thus demoralized the police.

long-time critics, had once been in Communist China. In 1969 the Lawyers Committee for Civil Rights Under Law an American Bar Association committee formed in 1963 at President Kennedy's suggestion, learned that the police were taking individuals off the street against their will to participate in line-ups. A young lawyer, Allen Klein volunteered to work on the lawsuit. In accordance with common practice in cases of this sort, others "similarly situated" (i.e., young blacks who had also been shanghaied by the police for this purpose) were invited to participate in the suit if they wished. Rizzo commenced a campaign of pressure against Klein in behind the scenes sessions with the Philadelphia Bar establishment. In June of 1970 he came out in the open and notified the press that he had sent to the District Attorney's office a lengthy investigative file charging that Klein had violated the canons of professional ethics prohibiting solicitation of professional employment and "stirring up strife and litigation." In August a Bar Committee rejected the charges and in September 1970, Federal District Judge Harold Wood banned the practice *attacked by the lawsuit,*

"Bar to Probe Rizzo Charge of Solicitation", Philadelphia Bulletin, June 24, 1970.

"Lawyers Stand Firm on Public Service Issue", Bulletin, August 6, 1970; "Police Enjoined on Forced Line-up", New York Times, September 10, 1970.

It is

unmistakably clear

that during his term as Commissioner, Rizzo

used

the CD file collection *as a* weapon *in fact* against police critics and his political enemies. important function

of the CD squad under Rizzo was to monitor critics of the police. Here are two accounts of this activity. In one

case in 1967 a man distributing literature for the

Consumers' Party was called a "black nationalist" by a

police officer. The ACLU wrote to the Police Commissioner

on his behalf but received no reply. A week later, the

complainant on returning home found eight members of the

CD squad inside searching his belongings. They had no

warrants and explained that they had come in response to a

report of a fire of which there were no signs on the premises.

A second incident is described by Attorney Jack J. Levine,

"During the latter part of April 1971 considerable public attention was drawn to an incident many years ago during which former police Commissioner, Frank Rizzo physically struck a demonstrator at the State Office Building. Mr. Rizzo was accused by the Governor and State Attorney General of having violated the law in apprehending one Eugene Dawkins. During the public debate over this incident, a number of concerned citizens held an informal hearing to hear witnesses to the beating describe what they saw of the incident. The meeting was held on May 13, 1971 at the First Unitarian Church at 2125 Chestnut Street, and the hearing panel included Lois Forer, Esq.;

Dr. William Camp (Director of Friends Hospital and former Pennsylvania Commissioner of Mental Health); William Neifeld (President of Retail Clerk's Union); and Rev. Wycliff Jangdharrie (Director of West Philadelphia NAACP).

As the meeting began, I saw a man who I believed to be a police officer and member of the CD Squad. I approached him, identified myself, and asked him whether he was an officer. He looked at me, and very nicely explained that, no, he was not a police officer; yes, he would likewise object if undercover police were present because he himself had been mistreated in the past by a police officer. He gave his name as 'Taney' or 'Teaney' and said he works 'in the credit department at Lit Brothers'. I apologized to him for my suspicion, and together we agreed that undercover police at a meeting of this sort would be unwarranted and a disgrace.

On Tuesday, August 10, 1971 at about 1 P.M., I observed the same gentleman sitting in a police vehicle on a plainclothes detail at 15th and Chestnut Streets. I approached him and asked him if he were a police officer. He replied yes. I asked him his name and he replied 'Taney'.

Rizzo's ruthlessness in stifling criticism of the department was a clue to a similar modus operandi in the corridors of power. During his term as Police Commissioner Rizzo placed important police functionaries in other city departments. He waged a campaign against judges who displeased him, warning them that would single them out by name and work against their re-election if they did not change what he considered to be an overly permissive attitude toward defendants and the sentencing process. When a city councilman

took a public stand against him he leaked his dossier through a right-wing organization in the Philadelphia area.

One of Rizzo's long time antagonists is Richardson Dilworth a prominent Philadelphian, lawyer, banker and former Mayor who it will be recalled clashed with the vengeful Commissioner about policing the public schools.

Now read this colloquy (on the CBS telecast, Under Surveillance, December 23, 1971) between photo-journalist David Schoumacher and Dilworth:

Schoumacher: And while the authorities claim...files are never used to hurt anyone, there's a man in Philadelphia who disputes that. 123 South Broad is one of the best addresses in the city's financial district, the address of the law offices of Richardson Dilworth, one of the city's wealthiest and most influential citizens, former Mayor, director of a bank, until recently president of the school board, and leader of the Establishment or not, still the subject of a police dossier, compiled, he says, by then Commissioner Rizzo.

Dilworth: The police under the Commissioner collected dossiers, I'd say, on thousands of citizens. He has boasted in meetings, one of the meetings with us, that he had as complete files on the people as Mr. J. Edgar Hoover does. At one of our school board meetings where the Mayor insisted the Police Commissioner be present, toward the end of the meeting the Commissioner very ostentatiously threw a number of files on the table and said, 'I've got enough on every one of you,' pointing at us -

Schoumacher: Meaning whom?

Dilworth: Meaning the members of the Board of Education - 'to run you out of the city.'

Schoumacher: Well, what was your reaction to that?

Dilworth: Our reaction was not to say a single word. We just looked at him in absolute silence and some astonishment.

Schoumacher: Well, do you believe that those files that he threw on the desk were in fact files on you and some of your fellow school board members?

Dilworth: I think they were. Yes, I'm sure he's got a file on every school board member.

Schoumacher: Did he threaten to use those files in an attempt to influence your vote?

Dilworth: No, I think this was just to make it plain to us that unless we sort of fell in line and ceased criticism of the Commissioner and his methods in the schools that we would regret it.

Schoumacher: Although another member of the school board privately confirms Dilworth's story, Rizzo insists it's not true.

Extraordinary pressures by Rizzo on his opposition brought an angry response in 1969 from four local civil rights and legal ^{defense} groups who denounced Mayor Tate, Rizzo and Harrington for "a concerted campaign to place the police above the law and to prevent the poor from being represented by legal counsel". [^]Public statement dated July 2, 1969, quoted in Commonweal, May 1, 1970, "City of Big Brotherly Love".

The conventional use of files to discredit left-wingers and to handicap the public airing of their causes, _____ is pervasive in Philadelphia. The files are used not only as a means of combatting local leaders but a warning to ^{and discrediting} "outside agitators". When Rizzo became Commissioner, the Philadelphia ghetto was in turmoil. He promptly told the press that he was prepared for the outside agitators. "If one of these agitators comes, he'll be taken on and taken on quickly...And he may be very sorry he came to Philadelphia..." He made it all very clear at a later meeting of a media executives: "If Stokely Carmichael comes to town, we're ready for him. We've got a whole roomful of tapes on this guy as evidence." And not ^{long} afterward when he tangled with local NAACP head, Cecil Moore, he assured reporters that he had the same kind of "tapes" for use in a showdown with Moore.

— The quotations are from Bernard McCormick, "God Bless Frank Rizzo," Philadelphia Magazine, August 1969.