

PRESENTATIONS BEFORE THE  
PENNSYLVANIA ADVISORY COMMITTEE  
OF THE U.S. COMMISSION ON CIVIL RIGHTS

- - -

Green Federal Building  
Room 6306  
600 Arch Street  
Philadelphia, Pennsylvania

- - -

Thursday, June 20, 1985  
1:30 P.M.

- - -

BEFORE:

- BRUCE W. KAUFFMAN
- EUGENE HICKOCK
- STEPHEN W. MAHON
- MURRAY FRIEDMAN, Chairperson
- MARK STOLARIK
- MORRIS MILGRAM
- MIN J. DeCOLLINGWOOD
- SIEGLINDE SHAPIRO

- - -

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1 PRESENT:

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2 TINO CALABIA, Field Representative

3 BARRY MORRISON, Executive Director  
4 Anti-Defamation League of B'nai B'rith  
5 Eastern Pennsylvania-Delaware Region

6 BURT SIEGEL, Associate Director  
7 Jewish Community Relations Council

8 GEORGE SELLERS, Eastern Sectional Director  
9 NAACP Pennsylvania State Conference

10 BERIT M. LAKEY, Executive Director  
11 The Fellowship Commission

12 MAXIMO SANTIAGO, JR., Director  
13 Hispanic Outreach Office-Philadelphia  
14 Human Relations Commission

15 MICHAEL D. BLUM, Executive Director  
16 Nationalities Service Center, Green Circle  
17 Program

18 HANG CHAI, President  
19 Hmong United Association of Pennsylvania,  
20 Inc.

21 FRANK TYLER, JR., Conciliator  
22 U.S. Community Relations Service

23 ROBERT A. CLOUGH, Assistant to the  
24 Coordinator-

On Behalf Of:

RICHARD B. ANLIOT, Coordinator  
Pennsylvania Inter-Agency Civil Tensions  
Task Force

MARTIN HOBAN, Community Relations Officer  
Pennsylvania State Police

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CARLENE NEAL  
CHARLES GRATMAN  
On Behalf Of:  
SANDRA H. BACOTE, Director, Eastern  
Regional Office  
Pennsylvania Human Relations Commission

JAMES J. SHANAHAN, Captain for Civil  
Affairs  
Philadelphia Police Department

MARTIN DUFFY, Chief of Police  
Newtown Police Department

CARSON C. PURIEFOY, Director of Programs  
Community Action Agency of Delaware County

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2 THE CHAIRPERSON: Good afternoon, ladies  
3 and gentlemen, let me welcome you here on behalf of the  
4 Pennsylvania Committee for the U.S. Civil Rights  
5 Commission. We'll begin our session today in terms of  
6 the topic that is to be discussed with a call for  
7 several of the people who are here to testify. Several  
8 of you were here this morning for the earlier session  
9 and I understand that there was a form that was sent  
10 around indicating your presence and the staff here has  
11 asked me to see if we could get that back. I assure you  
12 it is of absolutely no value. It's just an attendance  
13 list.

14 Sixteen agencies have agreed to be  
15 represented during the segment of today's meeting  
16 focusing on bigotry in Eastern Pennsylvania. The U.S.  
17 Attorney's Office has -- today's meeting of the  
18 Philadelphia Advisory Committee now resumes with a forum  
19 focusing on racially and religiously motivated violence  
20 and extremism. This is a followup to the forum  
21 organized by the Committee last fall in Pittsburgh,  
22 during which the Committee reviewed the situation in  
23 Western Pennsylvania. There we heard from many of the  
24 kinds of agencies as are appearing here today.



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2                   However, in Pittsburgh it was generally  
3 reported that bigotry--in the form of rallies put on by  
4 extremist groups such as the Ku Klux Klan or exemplified  
5 by desecration of temples and cemeteries--had somewhat  
6 diminished in that part of the Commonwealth compared to  
7 the situation of the '70s and early '80s. That is not to  
8 say that bigotry has disappeared. In fact, one guest  
9 aired excerpts from a then recent radio talk show in  
10 which callers openly slurred racial and religious  
11 minorities.

12                   Nevertheless, most of the speakers informed  
13 the Committee that the situation had grown appreciably  
14 more quiet. From our guests today, we expect to gain  
15 information on how such matters stand in Eastern  
16 Pennsylvania or at least Greater Metropolitan  
17 Philadelphia which makes up much of the southeastern  
18 part of the Commonwealth.

19                   Sixteen agencies agreed to provide data  
20 this afternoon. Another three were invited. One, the  
21 Southeast Asian Mutual Assistance Associations  
22 Coalition, had to decline but did file a previously  
23 released written statement for our record.

24                   Has anyone from the U.S. Attorney's Office

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or from the Philadelphia Urban Coalition arrived?

(No response.)

THE CHAIRPERSON: All other agency or organizational representatives have agreed to appear on the understanding that the Committee is seeking information voluntarily given by them on intimidation and violence associated with racial or religious bigotry in Eastern Pennsylvania. Before the Committee ends, members of the audience will also have an opportunity to raise questions or offer information as well. As you see, these proceedings are being transcribed, and the transcript will be maintained for public inspection at the Mid-Atlantic Regional Office in Washington.

Possibly supplemented by a few subsequent interviews, today's information and that obtained last fall will provide the basis for a report or a briefing memorandum by the Committee to our national office and the Commissioners. To that end, we hope to learn this afternoon not only about what incidents have occurred in the past year or so, but also how agencies and individuals have responded to such incidents and what they would recommend as ways to combat bigotry. The Committee's report could then include observations on



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how other communities inside the Commonwealth and maybe even beyond might guard against and reduce bigotry in its present manifestations.

With that background in mind, let us proceed. Will the representatives invited for the first panel, that is to say Panel A, please come forward and take your seats here.

My schedule simply has us going by alphabetical order and the Anti-Defamation League begins with A.

MR. MORRISON: I'm Barry Morrison. It's a pleasure to be here and I appreciate the opportunity to address this group. Panel, Chairman and members of the audience. I understand I have about seven to ten minutes; is that correct?

THE CHAIRPERSON: Yes.

MR. MORRISON: I will follow the instructions of Tino Calabrit and just repeated by the Chairman in reporting on incidents in Eastern Pennsylvania that we are familiar with and on our own response, the Anti-Defamation League in which I serve as Regional Director of Eastern Pennsylvania and Delaware and what we view as preventative measures to address

1  
2 these kinds of problems.

3 First, let me begin by making reference to  
4 anti-Semitic vandalism. Most of you probably know that  
5 the Anti-Defamation League conducts an annual audit of  
6 anti-Semitic vandalism. In the first six months of this  
7 year in Eastern Pennsylvania, we have recorded at least  
8 fifteen acts of anti-Semitic vandalism directed against  
9 property and individuals. The kinds of property I'm  
10 alluding to include cemeteries, Jewish Federation  
11 offices, Jewish Community Centers, synagogues and  
12 campus, some fifteen. This number includes bomb threats.  
13 Here in Philadelphia, in fact, there was such a bomb  
14 threat. It includes a variety of graffiti, swastikas  
15 and KKK symbols, includes messages of this sort. Let me  
16 show so those of you on the Panel can see this and those  
17 of you behind me, let me just turn around for a second  
18 and let you see this swastika above and read the  
19 message, Hitler was right, filthy Jew, scum. You  
20 murder innocent Arab babies at the hands of the Israeli  
21 pig army. Begin, Shalom, the butchers of Beirut.  
22 Prepare for the second Holocaust. Star of David and  
23 Jewish -- and swastika superimposed over each other.

24 These fifteen acts seem to reflect that we



1  
2 are in a good position -- I don't mean in a good  
3 position, but we may very well exceed the twenty-eight  
4 incidents that occurred in Eastern Pennsylvania last  
5 year and the nineteen of the year before. On a national  
6 level you might be interested to know that last -- that  
7 last year there was a modest increase in these acts,  
8 some 6.7%, seven hundred and fifteen incidents compared  
9 with six hundred and seventy the year before, acts of  
10 vandalism directed on property as opposed to other  
11 threats and assaults, primarily directed to individuals  
12 which also reflected an increase of 5.4%, three hundred  
13 and sixty-nine incidents versus three hundred and fifty.  
14 These figures reflect not just an increase reversing a  
15 two year decline, but also a noticeable increase in  
16 serious crimes, arson and bombings, growing from twenty-  
17 three to thirty-two.

18 We have concerned ourselves not just with  
19 tabulating and monitoring acts of anti-Semitism, but  
20 other anti-Christian, anti-Black activities. Examples  
21 of these include the posters that appeared in Hazelton  
22 not too long ago, the work of the Tony and Susan Almo  
23 Foundation. Tony Almo is an Arkansas evangelist, has  
24 marshaled his troops to circulate around the country in

1  
2 teams and place these posters in prominent locations.  
3 These posters have claimed that the Vatican is engaged  
4 in joint efforts -- was engaged in joint efforts with  
5 the Nazis, that the United States is under the control  
6 of the Vatican and that everything ranging from the  
7 United Nations to the United States government to  
8 organized crime are under the Vatican influence.  
9 Finally, these posters call for the expulsion of  
10 Catholics from public office. Churches in Philadelphia  
11 have been the brunt of vandalism. In January of this  
12 year, there were three Roman Catholic churches that  
13 found their altars desecrated and religious statues  
14 destroyed.

15                   Extremists, while they may be fewer in  
16 number and certainly not part of the whoop and waff of  
17 our society, still manifest themselves from time to time.  
18 Just last week we read a news account in the  
19 Philadelphia Inquirer about a confrontation between a  
20 U.S. Congressman, Tom Foglietta and a representative of  
21 the National Democratic Policy Committee, also known as  
22 the United States, U.S. Labor Party. The U.S. Labor  
23 Party has given ample evidence of its local presence.  
24 It routinely sends out news releases and that was

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1  
2 confirmed to me by the editor of the Philadelphia  
3 Tribune the other day. It has harassed University of  
4 Pennsylvania Nobel prize winner Lawrence Klein. It has  
5 attempted to make strides in the political arena in  
6 offering candidates in Democratic primaries, in this  
7 state for mayor, governor and also for congress.  
8 Interestingly, in the last gubernatorial Democratic  
9 primary, the Labor Party candidate holds some forty  
10 percent of the vote in Philadelphia.

11           The KKK, while again, not terribly visible,  
12 not highly organized, from time to time rears its ugly  
13 head. Last month we were called by a local television  
14 station, Channel 3, to ask us if we would consider being  
15 interviewed along with a new leader of the Invisible  
16 Empire Knights of the Ku Klux Klan. We, of course,  
17 declined.

18           Lately we have read about ultra-left wing  
19 groups, specifically the May 19th Movement. We've read  
20 of arrests in connection with the storing of incendiary  
21 devices, bombs in Cherry Hill and of the links between  
22 the May 19th Movement, Weather Underground, Black  
23 Liberation Army.

24           Finally on the extremist front, we have



1  
2 heard and read about, again in our own local community,  
3 Arian Nations and the Order. We've read about a couple  
4 of local arrests in connection with the nationwide  
5 pursuit by the Federal Bureau of Investigation of this  
6 racist and anti-Semitic organization dedicated to the  
7 overthrow of the American system of government and which  
8 has engaged in shootouts with federal officials, armored  
9 car robberies, drug smuggling, counterfeiting and  
10 murder.

11           Time won't permit -- I know you asked me to  
12 also bring a rundown on some of the other extremists  
13 groups that represent themselves across this country,  
14 but I'll have to save that for another time so that I  
15 can conclude by talking about our response to these acts  
16 that I've just described and to the preventive measures.  
17 Vis-a-vis response, we have had and continue to maintain  
18 very close contacts with the law enforcement community  
19 that for the purpose of the most part, sharing  
20 information to reinforce and strengthen and to further  
21 the work of the law enforcement community. I'm  
22 referring here to the federal, local and state law  
23 enforcement authorities. We are members of the  
24 Governor's Civil Task Force on Civil Tension. Some of



1  
2 its members are here today and we are the only non-  
3 governmental agency which is a part of that coordinating  
4 body. I'm sure you are familiar with its role and  
5 function. Just as we coordinate our efforts and  
6 communicate more coordinated efforts with and  
7 communicate information to the law enforcement  
8 community, we do the same with the media because we feel  
9 that exposure is a very important part of the remedy of  
10 the problems posed by extremism. Because the  
11 information on the international organization is  
12 included in the offices, we rely upon this network and  
13 coordinate our own information sources and digest  
14 information and put it in forms that can be circulated.  
15 I have copies of various reports prepared by the Anti-  
16 Defamation League on extremist groups and vandalism and  
17 so forth for you to keep and share with members of the  
18 Committee.

19           We also try to be, of course, one step  
20 ahead of these threats by actively engaging in fact-  
21 finding on a regular basis.

22           Finally, as to prevention, we believe that  
23 prevention is the only permanent thing and the most  
24 tangible of responses to manifestations of hatred and

1  
2 bigotry to the work of extremist groups who manifest  
3 prejudice in the form of vandalism. It's the most long  
4 term of our efforts. It involves work in the  
5 legislative arena. You are familiar with the Ethnic  
6 Intimidation Statute and you may know that we drafted  
7 that legislation and helped see it through to its  
8 passage. We also drafted and hope to see through  
9 passage another important piece of legislation that does  
10 not receive quite as much attention called the  
11 Paramilitary Training Statute. It says that if in the  
12 State of Pennsylvania a person is engaged in training or  
13 instructing others in paramilitary training camps for the  
14 purpose of engaging ultimately in acts of civil  
15 disobedience, then those participants are in violation  
16 of the law.

17           Finally on the legislative front not too  
18 long ago we testified before the U.S. Congress to urge  
19 that legislation be passed so that federal law  
20 enforcement officials will be obligated to collect data  
21 regarding ethnic crimes.

22           Education takes us beyond working through  
23 legislatures. It involves preparing handbooks such as  
24 this on security which we circulate at the churches and



1  
2 synagogues, institutions of all sorts so that these  
3 institutions might be able to prepare for these  
4 unfortunate incidents with which we are all familiar.  
5 We have prepared directives and circulated them broadly  
6 to synagogues and other such groups and organizations  
7 which are intended to allow those institutions to  
8 understand how to react to acts of vandalism which are  
9 all too common. We have participated with a number of  
10 the organizations present in this room, organizations  
11 and agencies in conferences on ethnic intimidation,  
12 conferences here in Philadelphia, in Allentown and in  
13 Harrisburg and a great deal of time is spent with the  
14 schools in putting together materials such as this,  
15 Extremist Groups in the United States and in preparing a  
16 poster series with the theme Prejudice is Foul Play and  
17 featuring sports celebrities such as Larry Holmes of  
18 Pennsylvania and Julius Irving which will hopefully  
19 imbue children with a great appreciation of others and  
20 a disdain for bigotry and prejudice.

21           Ultimately and finally, it is our mission  
22 to educate the public at large, the business leadership,  
23 the religious leadership and the average everyday  
24 person in a community. We hope that through our



1  
2 preventive measures and through our continuing  
3 vigilance, that the problems that we are here to address  
4 today will be kept in check and hopefully reduced.

5 Thank you again.

6 THE CHAIRPERSON: Thank you very much.

7 We have a large grouping of testimony  
8 before us, but are there any questions or comments from  
9 members of the Committee?

10 MR. MAHON: Mr. Morrison, I appreciate your  
11 comments. If you looked at the last five years and I  
12 think I got part of it where you said how many incidents  
13 there were last year and the year before. If you looked  
14 at the last five year period, are the number of  
15 incidents increasing, decreasing, stable or how do you  
16 view the trend, if there is such, that can be  
17 identified?

18 MR. MORRISON: Vis-a-vis?

19 MR. MAHON: The incidents of defamation.

20 MR. MORRISON: I want to be very specific  
21 about that. In our annual national poll of anti-Semitic  
22 vandalism, we showed that last year there was a modest  
23 increase in 1984. That year represented the first time  
24 that there had been an increase following a two year



1  
2 decline, two years before that and those two years  
3 follow a two year period in which there was a dramatic  
4 increase in these acts of anti-Semitic vandalism. I  
5 might point out to you that this is but one measure of  
6 anti-Semitism and of bigotry and we don't conclude, not  
7 that I'm suggesting that that is not your question, that  
8 this measure alone is a gauge of growing hostility or  
9 diminishing hostility in general towards Jews or others.  
10 Just to add another thought, we believe that one needs  
11 to rely upon a number of measures, one can look at  
12 extremist groups, acts of vandalism, one can keep one's  
13 finger on the pulse of the political environment and  
14 observe discussions in the arena of foreign affairs.  
15 This is another example of ways of determining what the  
16 climate might be.

17 THE CHAIRPERSON: A point of clarification,  
18 Barry. It's my understanding that the figures that are  
19 used to report episodes, whether they be swastika  
20 happenings or what have you, are generally those that  
21 come to your office based on reports, newspaper accounts,  
22 et cetera. If, let's say, someone walks by a swastika  
23 and the temper of the time does not cause him to call  
24 your office or the office of an A.D.L. operation, the



1  
2 incident may go unreported. In short, the figures of  
3 whether they're going up or down are reflections, are  
4 they not, of those that are reported or are observed  
5 from newspapers. In short, we really don't know whether  
6 the incidents are going up or down. These are only  
7 reports of incidents that become available to your  
8 office?

9 MR. MORRISON: Yes. Our instrument  
10 fluctuates from year to year. It is unquestionably  
11 true that we're not aware of all the incidents that  
12 occur, that figures that we have to share are but a tip  
13 of the iceberg and we can imagine that many more of  
14 these incidents do take place and once again these  
15 figures only reflect anti-Semitic vandalism. They don't  
16 speak about other kinds of vandalism.

17 THE CHAIRPERSON: I simply want to  
18 underline the point that we really don't know whether  
19 these incidents are going up or down based on the  
20 imperfect measurements we presently have for measurement.  
21 I think that's important to underline because the issue  
22 of up or down is taken very seriously by the public  
23 whether they report it.

24 MR. MORRISON: I think there is a

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2 consistency in how we address and report this  
3 information and the approach that we take remains the  
4 same so that based upon a limited sample of these  
5 incidents that come to our attention, we can safely say  
6 whether or not the incidents are up or down, but that  
7 may or may not reflect whether the total numbers of  
8 these incidents, exclusive of those that we are not  
9 aware of, are increasing or diminishing.

10 THE CHAIRPERSON: Thank you very much, Mr.  
11 Morrison.

12 Our next Panelist is Burt Siegel who is the  
13 Associate Director of the Jewish Community Relations  
14 Council.

15 MR. SIEGEL: I don't think I will take my  
16 full seven minutes because a good bit of what I would  
17 have said if I did take the time probably would just be  
18 redundant after Barry's report.

19 In terms of a measurement of the incidents  
20 in the Philadelphia area, we do annually serve the  
21 experiences of synagogues in the Philadelphia  
22 Metropolitan area. This is really Montgomery,  
23 Philadelphia County, Montgomery County and Delaware  
24 County. I thought I would share the comparison over the



1  
2 four years with the Panel. For 1984, seventy-four  
3 synagogues reported, which is probably about ninety-six  
4 percent of the synagogues in the area. This year seven  
5 percent of the synagogues reported incidents of anti-  
6 Semitic graffiti. Fourteen percent reported incidents  
7 of other vandalism. Now, the problem with determining  
8 vandalism against houses of worship, whether they're  
9 synagogues, churches or cemeteries, is there is really  
10 no way of determining if, for instance, windows are  
11 broken in a synagogue or windows are broken in a church,  
12 you really can't tell whether the intent was anti-  
13 Semitic. Institutional vandalism is a very serious  
14 problem. Nevertheless, of that fourteen percent, the  
15 majority of them seem to have had some anti-Semitic  
16 bias, a window was broken and there was, perhaps, a  
17 swastika drawn on the side of the building or anti-  
18 Semitic graffiti as well. That compares with last year,  
19 the anti-Semitic graffiti was actually down slightly.  
20 Last year ten percent of the synagogues reported anti-  
21 Semitic graffiti and this year it was seven percent.  
22 The population is a relatively small one. I really  
23 can't say that it's necessarily a downward trend.

24 In terms of other kinds of vandalism, in



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2 1983, fourteen percent reported other vandalism. That  
3 was the same number as today. For the four years that  
4 we have been conducting this survey, I would say that  
5 the number of incidents are on a relatively level plain.  
6 You know, one year you may have one or two more than the  
7 other year, but there don't seem to be any sharp peaks  
8 and valleys. We do seem to define the sharp increase for  
9 a short period of time are often after public events  
10 that those people that harbor anti-Semitic feelings seem  
11 to be responding to. For instance, while you again  
12 can't necessarily attribute it as a response to what we  
13 were all reading about, in the two weeks after the  
14 President's trip to Bitburg, the response of the Jewish  
15 community, the variety of responses, two synagogues in  
16 the Philadelphia area were vandalized. It is  
17 speculation to assume that this was as a result of that,  
18 but if it were, that would not be atypical. When those  
19 kinds of things happen we often do see those people who  
20 do harbor these kinds of feelings kind of coming out of  
21 the woodwork and saying now is the time for me to do  
22 something. You also have the phenomenon of the copycat  
23 crime where there will be a synagogue vandalized in  
24 Chicago, New York or Los Angeles, it is not that



1  
2 uncommon to see synagogues around the United States  
3 vandalized subsequent to that. Where there are  
4 apprehensions and that really is in a very small  
5 percentage of the cases, there does not seem to be any  
6 organized anti-Semitic activity. While it does happen,  
7 at least in Philadelphia, we don't have any evidence  
8 that it is the Klan or the National Alliance or on the  
9 other hand, any of the left wing organizations that are  
10 responsible. Nevertheless, there often seems to be some  
11 kind of political motive as Barry pointed out in that  
12 sheet of paper, a desecration of the synagogue was  
13 linked to someone's political beliefs and in that  
14 particular case, perhaps, a left wing political belief,  
15 you will often see the same kind of thing coming from the  
16 right, but again that does not necessarily mean that the  
17 person who does that is affiliated with a right wing  
18 anti-Semitic organization, but rather is acting upon  
19 feelings coming out of that kind of orientation.

20 Frankly, we have been somewhat frustrated  
21 over the years with the way a number of local law  
22 enforcement agencies have responded to these kinds of  
23 problems, or perhaps more accurately, not responded.  
24 They often take vandalism of a synagogue or of a



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2 cemetary or the painting of swastikas as nothing more  
3 than graffiti or simple vandalism and one of the things  
4 that the Anti-Defamation League and the Jewish  
5 Community Relations Council has been trying to do with a  
6 variety of law enforcement agencies is that to  
7 understand that writing kill the Jews or painting a  
8 swastika on the side of a synagogue is a much more  
9 serious act than merely writing Joe is here on the side  
10 of a school building. There has been a good bit of  
11 improvement in that area. A number of the suburban  
12 police departments in the Philadelphia area had been lax  
13 in responding to those kinds of things. Also, in  
14 response to that, a number of pieces of legislation have  
15 been introduced, the ones that Barry mentioned. Within  
16 the last several weeks another bill was introduced in  
17 the Pennsylvania House and Senate that would require all  
18 local police jurisdictions to report these kinds of  
19 crimes of bias to the Pennsylvania Commission on Human  
20 Relations as well as the Pennsylvania State Police. So,  
21 number one, there would be a record to determine whether  
22 there is any pattern or not, but also there would be, if  
23 not pressure, because I don't know that not doing that  
24 would subject the police jurisdictions to any



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2 significant penalty, but at least a creation of a  
3 mindset that says one indeed has an obligation to report  
4 these crimes for what they are. They are not simply  
5 crimes of vandalism and graffiti.

6 Thank you.

7 THE CHAIRPERSON: Thank you, Mr. Siegel.

8 Any questions or comments?

9 (No response.)

10 THE CHAIRPERSON: Our next Panelist in this  
11 session which is an overview on community organizations,  
12 our next Panelist will be Berit Lakey of The Fellowship  
13 Commission.

14 MS. LAKEY: The Fellowship Commission, as  
15 some of you may know, has been in Philadelphia since the  
16 early '40s concerned with a wide range of human rights  
17 and human relations issues. Our present programs that  
18 are particularly relevant to the kinds of things that we  
19 are talking about this afternoon, are I think the  
20 Southeast Asian Program that we have of providing  
21 technical assistance to the mutual assistance  
22 associations that are refugee groups speaking for their  
23 own people. We are also involved in a neighborhoods  
24 human relations project in which we provide training to



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2 neighborhood people that are involved in dealing with  
3 conflicts on the neighborhood level. Some of those  
4 projects are dealing specifically with inter-group  
5 tensions as between racial groups. Then there is the  
6 longstanding project of The Fellowship Commission of  
7 monitoring elections to see that election campaigns are  
8 conducted fairly. So, my comments will be really coming  
9 out of those three projects in particular.

10 I think it's safe to say that we are  
11 finding in Philadelphia right now plenty of racial  
12 tension. Although the outward acts of specific racially  
13 -- that you can identify as racially motivated violence  
14 or bigotry are hard to pinpoint and so we don't find a  
15 great deal of incidents that can be specifically  
16 identified as such, but we certainly see the flare-ups of  
17 the tensions as in neighborhoods where crimes are  
18 committed and the crimes cross racial boundaries as in  
19 South Philadelphia in the Tasker Homes area, for example.  
20 It's clearly a volatile kind of situation and that's  
21 only one of our neighborhoods in Philadelphia where this  
22 is the case.

23 It's hard to document or to prove that  
24 these were racially motivated. Sometimes the racial

1  
2 tension comes out, maybe as a result of acts that might  
3 not have a specific racial motivation, but the tension  
4 spills over. It is important, I think, in this regard  
5 to recognize that Philadelphia in the 1980 census proved  
6 to be more racially segregated than had been the case in  
7 the 1970 census, so that population groups are  
8 separating which I think is an indication of increasing  
9 tension.

10 In terms of the refugee groups that we have  
11 been working with for the past four years, it is no  
12 secret that most of them have been located in the poor  
13 neighborhoods where the community tensions are already  
14 high, where the resources are few and where the crime  
15 rates as a result are high. Again, there have been a  
16 number of incidents that we have known about where  
17 refugees' property has been attacked, car windows  
18 smashed, house windows broken, where there have been  
19 fights between Asian children in school and American  
20 children in school, but very rarely could we say that it  
21 was specifically -- could we prove that it was racially  
22 motivated. Again, it's hard to document many of these  
23 things because police very often don't get involved or  
24 if they do, the language problem prevents much further



1  
2 work than they're going to be seeing and recognizing  
3 that something has happened. The refugees are often not  
4 able to provide the names of people that perpetrated the  
5 crime and the police, of course, are not able to ask  
6 questions in languages that could be understood.

7           There's also the problem that we have  
8 identified that people are very reluctant to report  
9 incidents that happen to them for two reasons, one is  
10 they're assuming nothing is going to happen anyway, so,  
11 therefore, it would be just a nuisance and a bother and  
12 the other thing is that a certain amount of fear of  
13 something happening to them if they involve the  
14 authorities.

15           We have been watching the schools this year  
16 and have been pleased to note that the level of violence  
17 that we had seen in the schools last year certainly  
18 seems to have quieted down this year, and so there has  
19 been very little to report in terms of inter-racial as  
20 it refers to the new Asian population and the American  
21 population in terms of violence. We did have a report  
22 coming in this morning of a beating of a Vietnamese  
23 child, but we haven't been able to investigate that so  
24 we don't know, again, and we may never know what the



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motivation was.

One of the things that we have recognized and I don't know that there is much in the sense to do about it, but we want at least to register this is that we have seen the refugee population feel exploited by the American media. When you find on the front page of the largest metropolitan paper a picture of an old refugee woman who has in desperation committed suicide, that is heartless and it feels like this is put through to sell papers and it's certainly not helping a minority population to feel welcome in a culture that is alien to them in many other ways. The same thing happened recently where there was a story on -- where the Hmong population, which is a very small group in Philadelphia, where they came from originally, which is admirable in itself, but the fact that the story was illustrated by a partly nude Hmong woman was an insult to that community and was felt as such by the leaders of the refugee community that we had talked with and so whereas we cannot say this is done maliciously, we think that sometimes thoughtlessness and using other people for one's own ends end up in a very painful way.

In terms of the elections of two years ago,



1  
2 I think we were all watching very carefully since at  
3 that time we had a first -- in the election when Wilson  
4 Goode won the primary, there could have been a lot of  
5 problems. There were surprisingly little racial slurs.  
6 At that time there were some. One of them was a  
7 particularly vicious cartoon that had been distributed  
8 we found somewhere in the Northeast. We were never able  
9 to find out who had distributed it. It was done  
10 anonymously and was repudiated by Mr. Goode's  
11 opposition. So, it was there. I don't know if it was  
12 circulated widely, but it had been passed out door to  
13 door.

14 We also found last year in the primary for  
15 the state elections that in a particular district in  
16 Philadelphia that the incumbent was using clear racial  
17 appeals in a way saying, keep out the opposition and it  
18 was clear that the opposition was a different race. In  
19 that case we were in touch with the candidate who did  
20 not recognize having been in touch with us, but in  
21 general we have not found that there's been much of this  
22 kind of overt bigotry coming out in recent elections.

23 THE CHAIRPERSON: Thank you very much.

24 MR. HICKOCK: As I understand it and I



1  
2 haven't seen this, you published -- your Commission  
3 published a report about a year and a half ago on  
4 inter-racial conflict in the city and gave it to the  
5 city officials. Has there been any response on the part  
6 of City Hall?

7 MS. LAKEY: What we did when we knew that  
8 there would be a new mayor, was to take a look at the  
9 way the city officially responds to inter-group and  
10 inter-racial tensions, looking at the agencies that are  
11 charged with dealing with that. We wrote a report and  
12 gave it to the Mayor shortly after he took office. The  
13 Mayor then referred it to his Deputy Mayor and then to  
14 the Managing Director's Office. We met with one of the  
15 Deputies in the Managing Director's Office originally  
16 and then last fall I did have an opportunity to meet  
17 with the Managing Director. Our concern was, at least  
18 two-fold; one, that there appeared to be very little  
19 coordination between the agencies in the city that are  
20 charged with dealing with these tensions and secondly,  
21 that their efforts were very largely focused on crisis  
22 response, rather than an ongoing dealing with tensions  
23 in a way that could be described as preventive. Since  
24 my meeting, the Managing Director did begin having



1  
2 weekly meetings with the agencies we have indicated as  
3 well as others and to my knowledge, that has continued  
4 to the present when they kind of agree on which agency  
5 will be the lead in a particular crisis situation that  
6 they are identified with. That process has not been  
7 open to anybody else to know what happens, but I do  
8 believe it has continued. We are not satisfied that the  
9 process of sorting out where basic responsibilities lie  
10 for those kinds of tensions will be worked out within  
11 the city machinery.

12 MR. HICKOCK: But, you do feel that you've  
13 seen a reaction and had some impact?

14 MS. LAKEY: Yes, there was a reaction that  
15 we were pleased with. We'd like for there to be some  
16 additional steps that can act in a more preventive way.

17 THE CHAIRPERSON: You mentioned in your  
18 testimony, briefly, the episode with the Hmong. Is  
19 there anything more that you wish to, particularly in  
20 view of your agency's involvement in that issue, is  
21 there anything more that you wish to add or comment on  
22 last summer's situation?

23 MS. LAKEY: I don't think there is much  
24 that we need to say about it at this point. Of course,



1  
2 the Philadelphia Commission on Human Relations conducted  
3 extensive hearings after that where we testified and a  
4 lot of other people did. I understand their report will  
5 be due to come out fairly shortly and so I would just  
6 commend to you that report when it is published. We  
7 felt, again, that it was helpful to have attention  
8 placed on the needs of the refugee community that in  
9 fact they and the American communities in which they had  
10 been placed were put at the disadvantage by straining  
11 strained resources further in those communities, but  
12 again we were also fairly clear that it's hard to say  
13 what specifically is racially motivated and what is acts  
14 of desperation coming out from populations that are  
15 without a lot of resources.

16 THE CHAIRPERSON: Our next Panelist is  
17 George Sellers who is the Eastern Sectional Director of  
18 the NAACP and has the responsibility for simplifying, as  
19 I understand it, several of the branches in this area.

20 Mr. Sellers?

21 MR. SELLERS: Mr. Chairman, members of the  
22 Panel, Pennsylvania Advisory Committee, representatives  
23 from other religious, civil rights and community  
24 organizations, visitors and friends, as you probably



1  
2 know, the NAACP is a national organization having over  
3 eighteen hundred chapters throughout the United States  
4 with a national Board of Directors and Executive  
5 Secretary. Of course, I was just looking around this  
6 room especially up front and my first thought was on the  
7 national effort and in NAACP a lot of times we can't  
8 separate, on the national effort it was the NAACP who  
9 used most of the resources, the energies through our  
10 Washington bureau to prohibit the dismantling of the  
11 United States Civil Rights Commission. That's national.  
12 I just couldn't help but bring that to mind as I saw you  
13 gentlemen and ladies up there.

14           However, today being the Eastern Sectional  
15 Director my role is to try and bring some incite to this  
16 distinguished Panel, some of the things that happened in  
17 Eastern Pennsylvania. The one thing about NAACP people,  
18 especially officers and directors, whatever our roles  
19 are, we have learned to play that role and then we will  
20 be assured of keeping that role intact.

21           On Thursday, July 2nd, 1964, Lyndon Baines  
22 Johnson, thirty-sixth president of the United States,  
23 signed a controversial Civil Rights bill into law who  
24 said, "This bill is a renewal and reinforcement, a



1  
2 symbol and strengthening of that abiding commitment to  
3 human dignity and equality of man which has been the  
4 purpose of the American nation for almost two hundred  
5 years." Today in 1985 this commitment is still  
6 supported by the National Association for the  
7 Advancement of Colored People. In 1985 there is a trend  
8 of continued hostility towards civil rights and a  
9 retreat from civil rights law enforcement and the  
10 pursuit of equal opportunity has been all but complete.  
11 In Eastern Pennsylvania the NAACP has a network of  
12 seventeen chapters in the counties of Eastern  
13 Pennsylvania who is the NAACP watchdog against any form  
14 of racism. Our chapter presidents, other officers and  
15 members are available around the clock to fight  
16 injustice. In Pennsylvania we have a total of over  
17 fifty-seven chapters who make up our army of freedom  
18 fighters.

19           There have been incidents of racism in  
20 Eastern Pennsylvania where white youngsters attacked a  
21 black woman for supporting black candidates for elected  
22 political office. Most recently a black woman was  
23 attacked by white neighbors after moving into a  
24 predominant white neighborhood. In Bucks County there



1  
2 has been a reported incident of attacks on a black  
3 couple after moving to a predominant white neighborhood.  
4 There have been many more incidents of racially and  
5 religiously motivated violence and extremism in the  
6 Eastern part of Pennsylvania.

7           Now, the action the NAACP takes is to refer  
8 these matters to the appropriate city, county or state  
9 governments or agencies for proper action. Now, when in  
10 the opinion of the NAACP an appropriate solution is not  
11 achieved, then our legal department is contacted for  
12 further advice and consent to pursue further action  
13 being essential for a reasonable conclusion of the  
14 complaint. Now, as all of you are familiar with some of  
15 the incidents to come to our attention, the way we  
16 operate, we have, if you come in our office alone, we  
17 have over three and four hundred complaints a month of  
18 different racial things and we do, you know, intercede,  
19 but we're very fortunate because of the type of  
20 organization that we have, if things are not like we  
21 think they should be, then we are prepared to take  
22 litigation, direct action and any other form.

23           The NAACP works in concert with other  
24 organizations to try and educate the community on better



1  
2 human relations among all people and of course I'm very  
3 flattered and happy to be on the Panel with some of our  
4 distinguished organizations, The Fellowship Commission  
5 and the Anti-Defamation League and the Jewish Community  
6 Council. In doing this, it is our intent to try and  
7 bring about that type of better relations that would,  
8 perhaps, make the people understand the importance of  
9 trying to work together.

10                 Since 1909 we have been on the battlefield  
11 for justice and we fight on all fronts of justice  
12 regardless of whatever the complaint is. It could be a  
13 complaint from a youngster feeling that they were  
14 misproperly handled by a schoolteacher or principal. We  
15 have cases of that type. Again, we have received  
16 complaints of vandalism from black churches, et cetera,  
17 et cetera and we do refer them accordingly if we feel  
18 that they're moving too slow and that goes for any  
19 agency, we use our own methods.

20                 Roy Wilkins said in his life story, "We  
21 continue to stand fast against any forms of bigotry."  
22 And so in 1985 after over seventy-five years, the NAACP  
23 stands fast.

24                 I would like to thank the Pennsylvania



1  
2 Advisory Committee for inviting me to participate at  
3 this forum and do hope this will prove to be another  
4 avenue of bringing better human relations among all  
5 Americans.

6 Thank you very much.

7 THE CHAIRPERSON: Thank you, sir.

8 MS. SHAPIRO: I'd like to ask the entire  
9 Panel. We've heard about the incidents that these  
10 populations have experienced in terms of defamation or  
11 discrimination. What kinds of preventive programs are  
12 you involved in or what recommendations would you make  
13 to this Committee in terms of preventive measures that  
14 can be taken?

15 MR. MORRISON: It takes a multiprong  
16 approach. For one, increased vigilance is definitely in  
17 order and the Commission -- this Committee holding these  
18 meetings today seems to reinforce that point, that  
19 vigilance is necessary. Various sectors of our  
20 community need to be addressed. We need to work through  
21 the churches because a good number of people are  
22 inspired and directed through their faith. We need to  
23 work through the schools and to have teachers deal with  
24 their own prejudices and bigotry and to have teachers be



1  
2 enlightened and to allow administrators to be more  
3 informed and more inclined to instruct instructors of  
4 teachers accordingly. We need to reach into the  
5 political arena, where we talked about those opposed to  
6 race in political campaigns and we'd like to see more  
7 statements made, more sermons taking place on the  
8 political level at the highest level and we've tried to  
9 do some of that through our own code of fair campaign  
10 practices with a signing here in Pennsylvania and  
11 Washington, D.C.

12 We also think that every effort should be  
13 made through organizations such as those represented  
14 here today to bridge communities, to attempt to  
15 dissipate tensions, to try to break down the barriers.

16 MS. LAKEY: I think one thing that bodies  
17 such as yours can do and bodies that you are affiliated  
18 with is to put out the word that bigotry is not  
19 American; that it is not acceptable, that it is not  
20 something that goes along with anybody's faith in the  
21 best way. I think that's the kind of message that  
22 should go out with your having the hearings that you're  
23 just not looking at it with interest, but you're looking  
24 at it to see that it does not continue and that it's not



1  
2 condoned from our top national leadership.

3           In terms of what we can do, The Fellowship  
4 Commission, for example, we have found that there is a  
5 real need for support and help for people who live in  
6 neighborhoods, who work in organizations to give them  
7 the support and the skill to learn how to wage conflict  
8 honestly and productively. I think that's something  
9 that most of us don't learn a lot and I think that there  
10 are many people who are really goodwilled that are  
11 concerned about racism, anti-Semitism, sexism, the other  
12 "isms" that we battle, but who haven't really had a  
13 place where they can surface some of their thoughts and  
14 their prejudices and have a chance to work them out and,  
15 so, that's something that we are hoping to address  
16 through our training programs and through a public  
17 information program that we are wanting to initiate of  
18 really using, for example, the neighborhood papers to  
19 get out information to people about the ethnic groups,  
20 the racial groups that live in different parts of  
21 Philadelphia or who are present in this area so that  
22 there is more information about the reality of those  
23 people's lives and also the kind of good ideas that get  
24 surfaced from place to place so that the wheel does not



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have to be reinvented constantly.

MR. SIEGEL: I'll reiterate what the previous two speakers said. It has to be a multi-faceted approach. Obviously, there is still need for certain legislative remedies, but I would also like to second what Barry said, tragically enough there seems to be less of a respect for pluralism, religious and ethnic pluralism today in some communities than there was ten or fifteen years ago. The American dream of we're all Americans, one used to believe increasingly more and more of us would subscribe to that. I think a good bit of the data both in terms of incidents as well as attitudes don't support that convention and that's something that constantly needs work and that obviously bodies like this and organizations that the four of us represent have to be at bat constantly.

THE CHAIRPERSON: Thank you very much.

I'm going to call for just a two or three minute stand in your place break so that we can take pause and then we'll get back to our session. Please don't go too far away.

(Break taken in the proceedings.)

THE CHAIRPERSON: We're going to start with



1  
2 our second Panel. We are running a bit late and I want  
3 to announce that the United States Attorney's Office was  
4 here, but by virtue of the problems of our running late  
5 and that need for being in court, we are not able to  
6 take their testimony at this time, but I am empowered to  
7 report to you that they will be interviewed by the staff  
8 of the Commission, so that their testimony will be heard.

9 Our next session is Panel B and we will  
10 have as our first Panelist Maximo Santiago, Jr., who is  
11 the Director of the Hispanic Outreach Office of the  
12 Philadelphia Human Relations Commission.

13 Mr. Santiago?

14 MR. SANTIAGO: Thank you, Mr. Chairman,  
15 members of the Committee, my dear friend Mrs. Min  
16 DeCollingwood and distinguished guests and victims of  
17 bigotry and racism in Philadelphia. My name is Max  
18 Santiago, Jr. I hail from Humacao, Puerto Rico. I've  
19 worked for the City of Philadelphia going on twenty  
20 years and I'm the Director and founder of the Hispanic  
21 Outreach Office for the Philadelphia Commission on Human  
22 Relations.

23 The Philadelphia Commission on Human  
24 Relations saw fit in 1978 in conjunction with the Mayor



1  
2 to establish the Hispanic Outreach Office as a result of  
3 an incident of bigotry and racism in Philadelphia which  
4 occurred in November of '76 where five members of a  
5 Puerto Rican family who happened to have the same last  
6 name as I do, Santiago, were firebombed causing death to  
7 five members of that family. I'm sorry to say that I  
8 was the representative who dealt with that case and  
9 unfortunately I was not able to diffuse it to the point  
10 where we were able to prevent this hideous act.

11 I have come here today to plead my case  
12 with you in respect to what is happening in  
13 Philadelphia's Hispanic community which is a community  
14 composed primarily of members of the group known as  
15 Puerto Ricans, my group, which numbers in excess of a  
16 hundred thousand members and when you add in all the  
17 other Hispanic groups, you're talking about a community  
18 which is estimated in excess of one hundred and twenty-  
19 five thousand citizens, taxpayers of the City of  
20 Philadelphia. Our office is a city office which is paid  
21 for by taxpayers' dollars and serves all the members of  
22 the geographical location which is under the office's  
23 jurisdiction.

24 I have invited today two families, the Juan



1  
2 Candelaria family who is here who are victims of bigotry  
3 and racism in Philadelphia, a case which is presently  
4 being handled by our field office and Mrs. Carmen  
5 Cintron who in March of 1984 had her home firebombed in  
6 Philadelphia as a result of bigotry and racism inflicting  
7 serious injury to her son and to her causing her to  
8 have to be relocated to another neighborhood.

9           The job of the Hispanic Outreach Office of  
10 the City of Philadelphia is to diffuse, to deal with and  
11 gain leverage in these types of incidents. In 1983 my  
12 office dealt with twenty serious reported incidents of  
13 bigotry and racism and vandalism, not to count those  
14 that go unreported. In 1984 we had an increase of  
15 twelve. We had thirty-two reported incidents and so far  
16 in 1985 we've had approximately thirteen, halfway into  
17 the year. These are incidents serious enough to warrant  
18 the intervention of the staff of our office, a bilingual  
19 staff who apart from the many other functions that they  
20 fulfill as city representatives deal directly in the  
21 field with helping to diffuse and gain leverage on  
22 incidents of inter-group racial tension. Needless to  
23 say, Philadelphia does not take second place to anyone  
24 in the area of bigotry and racism as the serious



1  
2 incidents that have occurred over the years will prove.

3 I am very concerned, of course, with what  
4 happens in Philadelphia's Hispanic community, primarily  
5 a Puerto Rican community. As Puerto Ricans in  
6 Philadelphia reach out for the so-called American dream  
7 and strive to better their lifestyle by moving into  
8 different ethnic neighborhoods, may it be through the  
9 rental of a property or the purchase of a home, it seems  
10 that more often than not they are confronted with  
11 rejection, they are confronted with physical attack,  
12 harassment, intimidation and at times the loss of life.

13 I would like to be brief in my comments  
14 inasmuch as I would like for the individuals that I have  
15 invited here today to tell you directly of their personal  
16 experience with incidents of this nature. I can only  
17 tell you that our office has been able to establish  
18 patterns, patterns that are associated with clashes in  
19 culture, in lifestyle rooted in the economics of the  
20 neighborhood. Oftentimes the perpetrators of these acts  
21 are individuals who for one reason or other have not  
22 been able to economically scale the ladder and feel left  
23 behind and when members of the Philadelphia Hispanic  
24 community buy a home or move into their neighborhoods,



1  
2 they are viewed as a threat or in many instances, as  
3 the cause of why they as the majority population can no  
4 longer control their particular neighborhood, a  
5 neighborhood that maybe they once considered theirs.

6           The bigotry, the racism seems to accelerate  
7 depending on the nature of the Hispanic family that  
8 moves in. If "The Hispanic family fits the stereotype  
9 image that they have" then the kind of harassment, kind  
10 of bigotry demonstrated tends to be more subtle, less  
11 violent. If the Hispanic family begins to demonstrate  
12 that they economically possess the wherewithal to  
13 repair their home, own a new automobile, dress their  
14 children in what could be considered a middle class  
15 standard, then the type of bigotry that we have  
16 witnessed at our office is demonstrated as one which is  
17 more hostile because now there tends to be a comparison,  
18 a standard of measurement against which those  
19 individuals who are in that community look at and gauge  
20 themselves upon. Consequently as you will see in the  
21 case of one of the families that I've invited here  
22 today, when this family was given this property by the  
23 City of Philadelphia and began to invest money repairing  
24 it and fixing it up, there was an immediate violent



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reaction to that.

The problem needs to be addressed in a rather quick manner if these incidents are to be controlled. By that I mean the police must act quickly. Unfortunately, the kind of feedback we have is that the police response is not fast enough, is not strong enough. The police visibility in these neighborhoods where this occurs is not acceptable. It becomes acceptable after agencies and programs such as ours get involved and begin to pressure for better and quicker service.

Certainly communications is a very big problem when dealing with a community like the Philadelphia Hispanic community where many of its members do not speak English. That is why the staff of the Hispanic Outreach Office is bilingual and bicultural. I think that that goes a long way in helping to, in a very quick manner, unravel the often complicated amount of information that is associated with these cases.

I would like to quickly conclude by saying that one way and I've expressed this to Mrs. DeCollingwood, how this Committee can play a significant



1  
2 role in Philadelphia is to encourage that the  
3 authorities here implement the 1982 Ethnic Intimidation  
4 Act that Governor Thornburgh signed into law in more of  
5 these cases. It appears that the District Attorney's  
6 Office has not, for whatever reason, seen fit in the  
7 past to implement the use of the Ethnic Intimidation  
8 Law which carries more severe penalties on those who  
9 perpetrate acts of bigotry and racism where loss of  
10 property or even life is at issue.

11 I would like at this moment to, if you will  
12 allow me, to invite Mrs. Carmen Cintron who in 1984  
13 after having rented a property in Philadelphia was  
14 firebombed. I'd like for her to give you some of her  
15 views as to why this happened and how this has affected  
16 her family and her life since then.

17 THE CHAIRPERSON: Welcome, Mrs. Cintron.

18 MR. SANTIAGO: What would you like to hear  
19 from her?

20 THE CHAIRPERSON: I think the  
21 circumstances that were involved in your episode.  
22 You'll be translating?

23 MR. SANTIAGO: Yes. Mrs. Cintron states  
24 that she only was able to live in this rental property



1  
2 five days. I'll sort of expand on what she said  
3 somewhat. She moved into this property. The landlord  
4 had been forewarned by a hoodlum element in the  
5 neighborhood, youth in the neighborhood and adults, male  
6 adults, white male adults, that if he rented the  
7 property to a Hispanic family or a minority family and  
8 by that I mean black, that there would be retaliation  
9 and indeed there was immediate and swift retaliation as  
10 soon as she moved in with her children. It started with  
11 having all her windows broken, threats, racial slurs  
12 and several days later it followed with an incendiary  
13 device having been thrown through one of the windows  
14 igniting the property. The device landed on her son's  
15 lap and he was severely burned, she was burnt and all her  
16 hair was burnt and fortunately they were able to escape  
17 from the property. They lost everything. The City of  
18 Philadelphia at that point in conjunction with our  
19 office, with our field office, was instructed by the  
20 Mayor to find suitable housing for Mrs. Cintron and a  
21 property was secured at a rather expensive cost and in  
22 a very short period of time was rehabilitated in a  
23 neighborhood where we hoped that this type of thing  
24 would not occur and Mrs. Cintron and her family have



1  
2 living in that property ever since.

3 Her case is one of the first cases where  
4 the Ethnic Intimidation Law was implemented here in  
5 Philadelphia. Unfortunately, Mrs. Cintron does not feel  
6 that the -- that justice was attained because she feels  
7 that one of the key perpetrators went scot-free, but  
8 there were arrests made and people are behind bars as a  
9 result of that.

10 Mrs. Cintron would like you to know that  
11 she feels somewhat depressed and deceived in that she  
12 never thought that anything like this would occur to her  
13 or anyone else in a city like Philadelphia; that in her  
14 country, Puerto Rico, people of different races and  
15 groups come and go, purchase homes and are not  
16 firebombed, so that she -- her life has changed  
17 dramatically. Her values, she and I have spoken over  
18 the past, have changed dramatically in terms of how she  
19 views life here in a city like Philadelphia. I think  
20 that she harbors a lot of fear and would be quite  
21 reluctant to push on and would then have to live an  
22 isolated kind of insulated kind of life within the  
23 Hispanic community rather than branch out and reach out  
24 for the so-called American dream.



1  
2 MR. MILGRAM: To what extent did neighbors  
3 come to her aid and support and help in the prosecution  
4 of the criminals?

5 MR. SANTIAGO: She feels that her neighbors  
6 did not respond in any way except one who came forth  
7 because he was directly involved and felt that by  
8 helping the prosecutors, he would get off which he did.  
9 Other than that, she does not feel that she received any  
10 meaningful support from her neighbors. I'd like to  
11 qualify what she says, because this is quite often the  
12 case. What I have -- what our staff has discovered in  
13 dealing with these cases at our office is that when  
14 members of that community, established members of that  
15 community come forth and decide to help a family in  
16 distress, they themselves then become the victims of  
17 retaliation. So when they do, they have to be very  
18 careful how they go about doing that and oftentimes, I  
19 know in her case, unbeknownst to her, that there were  
20 some senior citizens who lived on this block and who  
21 said to me, Max, it's terrible what they've done to that  
22 family and we don't want you to think that this is  
23 indicative of how we all feel on this street, but we are  
24 as fearful of that element or that group who committed



1  
2 these acts as the family who suffered in this situation  
3 and, therefore, we cannot come out because we live here  
4 and probably would then be set upon by them or their  
5 friends.

6 THE CHAIRPERSON: Thank you.

7 MS. DeCOLLINGWOOD: Mr. Chairman, I would  
8 like to commend Max for being able to produce a witness  
9 in front of this Commission. It has been my experience  
10 that the Hispanic community oftentimes suffers from  
11 incidents such as this, do not come out, do not know  
12 what organizations are available to help in situations  
13 such as this and I think this is, might be even  
14 historical in terms of involvement of this high level of  
15 Panel in the City of Philadelphia, it was not easy for  
16 you to produce a witness and I think what your office is  
17 doing is commendable by proof that she is here. I know  
18 culturally that what she's doing is brave. I want to  
19 thank her, Max, and yourself for producing this  
20 information.

21 MR. SANTIAGO: If I may just take another  
22 minute of your time since I did invite them here. I  
23 have another couple, Mr. and Mrs. Candlearia who were  
24 given a property by the City of Philadelphia through the



1  
2 city's Gift Property Program which is a program which  
3 endeavors to take properties that are no longer on the  
4 tax roll and put them on the tax roll and give them to  
5 worthy citizens of the city who will take care of them  
6 and at the same time provide housing to people who  
7 normally would not be able to afford securing a  
8 mortgage because they don't have the initial start-up  
9 money. Mr. Juan Candlearia is a missionary who is very  
10 involved in Hispanic religious affairs. Mr. Candlearia  
11 on June 6th was attacked in his home and he and his wife  
12 were both beaten.

13 MR. MILGRAM: This year?

14 MR. SANTIAGO: This happened June of this  
15 year. The individual who did this has been arrested and  
16 there is a case pending, but, the threats continue.  
17 I have provided Commissioner deCollingwood with pictures  
18 that he brought of how even after the individual was  
19 apprehended by police, his friends came by and destroyed  
20 his van and have made threats to firebomb the property.  
21 This is an example of a family who has invested upwards  
22 of a thousand dollars in repairing their home and making  
23 it livable and trying to better the neighborhood, being  
24 told we don't want you. We want you out. They have



1  
2 chosen not to move. In most cases in Philadelphia's  
3 Puerto Rican community most families abandon the house.  
4 They forfeit their mortgages and what they've invested  
5 in terms of equity and leave. Very seldom do you find  
6 a courageous family like this who says, we're not moving,  
7 we're staying, we'll take our chances and we pray to God  
8 that you can somehow provide us with at least enough  
9 measure of protection from the police and other agencies  
10 so that we can diffuse this situation and live here  
11 peacefully.

12 Mr. Candlearia is available to you for any  
13 questions that you may wish to ask him.

14 THE CHAIRPERSON: We are running so far  
15 behind. I don't wish to seem unfeeling or unsympathetic.  
16 As a matter of fact, I think you've given us an  
17 extraordinary insight into the human dimension of this  
18 kind of problem. It's not an abstraction, ethnic  
19 intimidation is rather vague. So, I think that with the  
20 testimony of Mrs. Cintron and with your report, I think,  
21 perhaps, we had better go on.

22 Thank you very much. Would you convey to  
23 your guests the appreciation of our Committee for  
24 helping us to better understand these problems. I think



1  
2 too that our opportunity through the media that is  
3 present, we also will have an opportunity to have the  
4 community understand some of the pernicious forces that  
5 are at work in the community.

6 Thank you very much.

7 MR. SANTIAGO: Thank you very much.

8 THE CHAIRPERSON: Our next Panelist is  
9 Michael Blum who is the Executive Director of the  
10 Nationalities Service Center.

11 Mike?

12 MR. BLUM: The Nationalities Service Center  
13 is a United Way organization that works with immigrants  
14 and refugees in the community and non-English speakers.  
15 It works in the Southeast Region of Pennsylvania and I  
16 decided not to talk about some of the specific incidents  
17 because I think there is going to be enough reporting to  
18 the Panel on the issues that are taking place with  
19 individual families and I think what both Miss  
20 DeCollingwood said and what Max Santiago indicated, a  
21 lot of people keep these incidents to themselves. It is  
22 culturally not in style necessarily from a lot of  
23 communities to come forward and to report this, so I  
24 commend Mr. Santiago for what he has produced today.



1  
2 I'm also Executive Director of the Green  
3 Circle Program which is a cross-cultural program that  
4 operates in forty states throughout the United States  
5 and functions mainly through chapters of the Girl Scouts  
6 and National Conferences of Christians and Jews.

7 I'm interested today to talk to you a little  
8 bit about the issues of prevention. I think we live in  
9 a society that has never accepted its pluralism and I  
10 think on a national level the way in which the country  
11 projects itself, the kinds of questions it asks in terms  
12 of understanding the issues that face the country  
13 contributes to the problem. I've always been struck by  
14 the fact that we confuse race and language when we ask  
15 for racial identification, we include in that Hispanic.  
16 It would say to me that a country that doesn't know the  
17 difference between race and language doesn't know who it  
18 is. I think that is one of the basic issues that face  
19 the United States, that people are at odds in terms of  
20 understanding the American culture and when you ask  
21 somebody what is the American culture, they are hard  
22 pressed to define that and identify the American  
23 character. We can talk about hot dogs and hamburgers,  
24 we can talk about technology, but in terms of the



1  
2 character of the American people, I think we are still  
3 at odds in terms of identifying that clearly.

4           We see throughout the school system in our  
5 community the inability of people to live effectively  
6 together. They might not all warrant the attention of  
7 the Ethnic Intimidation Act, but they do suggest that  
8 people do not know how to live creatively together and I  
9 would say that people do not know how to live creatively  
10 together, because we have not, as leaders, effectively  
11 identified what is the American culture, what is the  
12 American character so that people can understand not  
13 only their unity in terms of politics, but can  
14 understand their unity in social and psychological  
15 terms.

16           As a very simple and maybe humorous  
17 example, I was talking to a staff person the other day  
18 and the staff person said she was going home and home  
19 happened to be outside the United States and I asked her  
20 how she is treated when she gets home and she said she  
21 is treated as an American, so then I asked her where  
22 really is home. The fact that many people in this  
23 country identify themselves in hyphenated terms also  
24 suggests that maybe they don't understand the similarity



1  
2 in character that evolves by the interaction that takes  
3 place within this country. The Bulge Institute had a  
4 recent article in its newsletter by Michael Novak that  
5 talked about the pluralistic personality. That's  
6 another way of maybe beginning to identify the American  
7 character, but it seems to me as we are in a period of  
8 renewed patriotism and we understand clearly the  
9 American flag, the Liberty Bell and some of the other  
10 hoopla that goes around that, we have an opportunity to  
11 begin to explore more deeply and provide leadership about  
12 what is the American culture, what is the American  
13 character and have the people of all communities  
14 understand how they are forming an American character,  
15 an American personality different from all of the  
16 hyphenated dimensions of their heritage which are  
17 significant, but do not describe in totality who they  
18 are, so that what I would suggest for the Panel is to  
19 provide a new kind of leadership both in the kinds of  
20 questions we're asking Americans in terms of how they  
21 identify themselves. What is unique about this country  
22 is the fact that people can voluntarily identify who  
23 they are and we are not giving that opportunity to  
24 people as we provide and do different surveys and talk



1  
2 about the issues that we're supposedly trying to  
3 resolve.

4 In closing, I would like to suggest that  
5 maybe the way in which we even talk about the problem  
6 contributes to its maintenance.

7 Thank you very much.

8 THE CHAIRPERSON: Thank you very much.

9 Our next Panelist is a representative of  
10 the Hmong United Association of Pennsylvania. I'm not  
11 sure I'm pronouncing your name properly but I believe it  
12 is Hang Chai?

13 MR. CHAI: Right.

14 THE CHAIRPERSON: Mr. Chai has recently  
15 been installed as President of Hmong United.

16 Please.

17 MR. CHAI: I thank you very much for giving  
18 me the opportunity to say a couple of words. I am Hang  
19 Chai the President of Hmong United Association in  
20 Philadelphia and also the Vice President of the  
21 Southeast Asia Refugee MA Coalition.

22 I would like to make a couple of comments  
23 about an Hmong man who was beaten in West Philadelphia  
24 last year, in 1984. The situation at that time was



1  
2 that somebody broke the car which belonged to the  
3 brother of this man a couple of days ago. The date that  
4 the man was beaten, the car was broke again.

5 THE CHAIRPERSON: This is a few days ago?

6 MR. CHAI: Yes, a few days ago the car was  
7 broken and at this time the breaking occurred and they  
8 tried to chase those people and identify who they are  
9 and the American youth attacked the Hmong man very  
10 badly. We do not know why the American broke the car  
11 twice. By only trying to protect their property, our  
12 people was brutally hurt. Also my car was broken two  
13 times, my window was broken. We do not know why the  
14 American people do that.

15 I think some of the American people, they  
16 do not know why we came here, for what. We came here  
17 because the American government get involved in the war,  
18 so we cannot stay in our country. We had to come here.  
19 We come here not for fighting, but for peace, for  
20 freedom and to help each other.

21 We are happy that you had this meeting so  
22 that we can talk about our problem and we also hope that  
23 you or your agency can find ways to prevent the conflict  
24 in the future so that we can live in peace in the City



1  
2 of Philadelphia. At home in Southeast Asia we are happy  
3 to go to different agencies.

4 MS. DeCOLLINGWOOD: How large is the Hmong  
5 population in Philadelphia?

6 MR. CHAI: 1976 to 1980, three thousand  
7 people and '82 to '84, two thousand, five hundred and  
8 after the incident some of the people tried to move out.  
9 They thought there is no safe -- it is not a safe place  
10 for the Hmong people, so they tried to move out. Right  
11 now there are about five hundred people in the City of  
12 Philadelphia.

13 THE CHAIRPERSON: Have you found the  
14 authorities in any way responsive to the kinds of  
15 actions that you've been faced with?

16 MR. CHAI: When we have trouble, we can  
17 contact the authority like Mr. Michael Blum of the  
18 Nationalities Center, we contact them and can call the  
19 police to come out and help, but the problem is that it  
20 is a language problem. We cannot call the police. We  
21 cannot talk to some agency to help. It's a big problem  
22 that we face now.

23 THE CHAIRPERSON: The problem of  
24 communication?



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MR. CHAI: Right.

MS. DeCOLLINGWOOD: Mr. Chai, do you keep track of where the people that have left the Philadelphia area have gone to and do they face similar problems and situations of violence and bigotry in other places that they have moved to?

MR. CHAI: As I know, the people that tried to move out to the suburbs, so they can live in peace, nobody can talk to them or say some bad words to them, you know, or do something bad to them. So, they feel that it's a good place for them. It's a safer place for them, so this is the reason why they moved out, so they support themselves.

MR. MILGRAM: Can you estimate how many Hmong people have moved to Philadelphia's suburbs?

MR. CHAI: About four hundred people moved from Philadelphia to Lancaster area.

MR. MILGRAM: What about the other suburbs that are closer in?

MR. CHAI: The other suburbs in Erie, Pennsylvania and Harrisburg -- I'm sorry, Pittsburgh.

MR. MILGRAM: Those cities are a fair distance away. By the suburbs, I mean Bucks County,



1  
2 Montgomery County, Delaware County, Chester County, have  
3 Hmong moved there in those counties?

4 MR. CHAI: No, only in Lancaster County.

5 MR. MILGRAM: Did any churches in the  
6 suburbs of Philadelphia invite the Hmong to come to  
7 their neighborhoods where they could be safe?

8 MR. CHAI: Yes, they have different  
9 churches, the Roman Catholic Church, the Lutheran  
10 Church and the Baptist Church.

11 MR. MILGRAM: In the suburbs of  
12 Philadelphia?

13 MR. CHAI: Right.

14 MR. MILGRAM: But they didn't go to those  
15 areas?

16 MR. CHAI: No, only the one area that I  
17 mentioned in Lancaster.

18 THE CHAIRPERSON: Thank you very much.

19 We were to have been addressed by a  
20 representative of the Korean Association, but I gather  
21 he is not here now. Therefore, we'll turn next to the  
22 Panel and here I'm somewhat at sea because this is a  
23 Panel dealing with -- this is the Federal Panel and I  
24 understand that several of the federal authorities were



1  
2 here earlier, but by virtue of the pressures of time and  
3 their other commitments have departed, so I don't know  
4 who is here and who is not here.

5 MR. CALABIA: The Community Relations  
6 Service is here.

7 THE CHAIRPERSON: Would you identify your  
8 agency more specifically for both the Panel and the  
9 audience.

10 MR. TYLER: I'm Frank Tyler with the  
11 Community Relations Service of the United States  
12 Department of Justice. I've distributed information to  
13 you which outlines our specific congressional mandate  
14 and the various programmatic areas which we cover in the  
15 area of administration of justice, education and general  
16 community response which covers the gamut of certain  
17 situations which goes from cross burnings to vandalism,  
18 be it institutional or otherwise, the desecration of  
19 cemeteries. My primary responsibility is Eastern  
20 Pennsylvania and the State of Virginia as a general list.  
21 As a specialist, I'm the Regional Administration of  
22 Justice liaison and the Immigration specialist.

23 I'd like to historically take you back,  
24 even your Commission when you held hearings in Chester



1  
2 County in 1976 which dealt primarily with tensions in  
3 the mushroom area dealing specifically with undocumented  
4 aliens and their treatment and also the treatment of  
5 migrants in the Commonwealth of Pennsylvania, Haitians,  
6 migrants in the Central part of Pennsylvania and indeed  
7 today since those investigative hearings we have some  
8 similar problems if we're talking about Hispanics, if  
9 we're talking about Haitians, not necessarily Haitians  
10 in the migrant stream, but Haitians in Erie,  
11 Pennsylvania who are considered, in some instances,  
12 migrants and others who are considered entrants.

13           Leading from that is a period from 1977  
14 until approximately 1980, there are reports that have  
15 been documented about a very severe problem dealing  
16 specifically with minorities moving into predominantly  
17 white neighborhoods and in some instances being  
18 firebombed, homes desecrated and virtually moved out  
19 from the area. We have had instances of actual Klan  
20 recruitment in Eastern Pennsylvania. Much of that has  
21 diminished. In 1979 there was a report by the  
22 Governor's Civil Tension Task Force which indicated that  
23 the highest incidents reported to agencies was in  
24 Delaware County in Eastern Pennsylvania. At that time



1  
2 we approached the President Judge of Delaware County  
3 who appointed a task force to deal with a response and  
4 indeed the county council developed an ordinance, as did  
5 the Borough of Darby which at that time was experiencing  
6 quite a bit of hostility between -- in the area of  
7 minorities moving into predominantly white areas.

8           We have seen a decline in the number of  
9 reported incidents and I really don't know what that  
10 means. Does that mean that, perhaps, because of  
11 economic conditions that a number of minorities do not  
12 have the wherewithal to purchase homes in predominantly  
13 white neighborhoods or does it mean that the  
14 effectiveness of law enforcement has been such that  
15 there is in certain geographical areas a hesitancy on  
16 the part of many so-called, if you will, pranksters and  
17 young folk to do these kind of dastardly acts. By the  
18 way, most of the information, when you have these acts  
19 at homes and what have you have been reportedly done by  
20 young people.

21           In October of 1982 after the Governor of  
22 the Commonwealth of Pennsylvania signed the Ethnic  
23 Intimidation bill, the Community Relations Service for  
24 the Mid-Atlantic Region developed a regional objective



1  
2 and submitted it to our office in Washington. That  
3 objective encompassed the area of the containment and  
4 reduction of racial harassment in the Commonwealth of  
5 Pennsylvania. In that whole design we were concerned  
6 about how was the law, Ethnic Intimidation, how would it  
7 be interpreted at the local level, how would it be  
8 interpreted from the District Attorney's office and how  
9 would it be understood by local police authorities in  
10 responding to the implementation of that law. In that  
11 context we developed a suggested law enforcement  
12 response based upon the Ethnic Intimidation Law and in  
13 fact prior to that have worked, particularly with many  
14 of the suburban police departments in responding and  
15 indeed we still do today.

16 I would be remissed if I did not share with  
17 you that we're talking about a bit more than black and  
18 Hispanic because indeed in the multi-ethnic, new  
19 residents that are coming into the City of Philadelphia  
20 such as from Southeast Asia, from Afghanistan, from  
21 Pakistan, from Ethiopia, we have indeed found harassment  
22 of these new residents in the Commonwealth of  
23 Pennsylvania.

24 One of our problems as exhibited in the



1  
2 situation that occurred in West Philadelphia with the  
3 Hmong, is the language barrier as well as, as we look at  
4 those homelands and the relationship between those  
5 individuals and their law enforcement agency in their  
6 homelands. One of the things that we've developed as  
7 far as a training tool in a videotape for law  
8 enforcement just to respond to the needs of Southeast  
9 Asians, is how to do a home interview, how to do a  
10 street stop, how to explain law enforcement in this  
11 country to Southeast Asians and most of that was  
12 developed in our offices where you have large  
13 concentrations of Southeast Asians, particularly in  
14 Orange County, California and in Seattle, Washington.

15 Another concern that we have, once we have  
16 a new resident involved in our criminal justice system,  
17 either as a victim or a perpetrator, there is decidedly  
18 surfacing the need for interpretive service for non-  
19 English speaking people. At the crime scene, I've been  
20 kind of fascinated, for instance, with the question of  
21 since those coming from Southeast Asia as a war country  
22 might have a handicap of a deafness, how would they be  
23 read their Miranda rights in sign language. At some  
24 point in time we're going to be confronted with that.



1  
2           There's no doubt that another area that  
3 we're picking up, not necessarily here in the  
4 Commonwealth of Pennsylvania, but in other areas  
5 throughout the country is the organization of extremist  
6 groups in prisons where you have the gathering of what  
7 might be considered gangs and much of that might be --  
8 and indeed it is, extremist groups forming, whether for  
9 protection, their own protection, inside a correctional  
10 institution, but they come out with that same mentality  
11 that's developed in there. Indeed and this is going  
12 back some time, we have responded to hate violent group  
13 activities in the military, specifically at Fort Monroe,  
14 Virginia, where we found five active Klan members in the  
15 military police and also you might have touched upon it  
16 with this new spy case with Walker, but of course  
17 Walker had a relationship with Bill Wilkinson and  
18 indeed we did have an attempt for the Klan to recruit at  
19 the navy installation in Norfolk, Virginia some time  
20 ago.

21           While we are not seeing a significant  
22 number of violent crimes here, one of the kind of things  
23 that has occurred in the Commonwealth of Pennsylvania  
24 through the design of the Ethnic Intimidation is a whole



1  
2 manual that hopefully will be introduced and I'm sure  
3 the state agencies will give you a much more detailed  
4 overview of where we are at here in the Commonwealth in  
5 institutionalizing the Ethnic Intimidation Act at the  
6 District Attorney's level, at the Pennsylvania Attorney  
7 General's level and at the local police level when they  
8 do their initial investigation.

9 Thank you.

10 THE CHAIRPERSON: Thank you very much.

11 MR. HICKOCK: I just have one question.  
12 It's sort of been, I guess, a question that -- what's  
13 your impression as far as the seeds of a lot of the  
14 violence we see of this type. Do you think it's  
15 institutionally based, in other words, individuals who  
16 are members of racial groups, racial -- racist groups  
17 who seize upon an opportunity to act violently against  
18 an individual or do you think it's really just  
19 individuals who are taking out their frustrations on a  
20 racial group?

21 MR. TYLER: There's no question that when  
22 we have times of economic downturn that there are those  
23 that seize this opportunity. However, a more intimate  
24 view, if I may share with you, is what happens when a



1  
2 family around the table has told their children that a  
3 certain minority is a certain kind of way and not worthy  
4 of anything and what have you, but then that given  
5 minority moves next door and that minority family may be  
6 in such an economic position that the little daughter  
7 and the little son is dressed fairly decent, that that  
8 family has fairly good furniture, a car and that father  
9 who has told the daughter and the son that, you know,  
10 they're this and that, the child comes back and says  
11 they're not like you told me, they're better than we are  
12 and in a sense they're telling that father that you lied  
13 to us. In some circumstances what he will do, he will  
14 go down to his local tavern and tell his friends and  
15 let's burn them out and his friends gather around a  
16 water hole or worse than that, he will get young people  
17 -- I think we've had an example of that not too long ago  
18 right here in Philadelphia, allegedly that a thirty-one  
19 year old man put up two eleven year olds to burn a cross  
20 on a black family's home, so we have that kind of  
21 influence.

22                   So, you do, in answer to your question,  
23 what the Governor of Maryland states it as, the scape-  
24 goat syndrome, that we blame everyone else for our



1  
2 problems. As we see layoffs happening in many of our  
3 major industrial plants around here, you might well  
4 predict that a minority may get blamed for the layoff,  
5 so you have that condition. You may also have outsiders  
6 instigating and saying, well, because you have the  
7 affirmative action or because of this, because you  
8 integrated schools, this is the reason why this has  
9 happened, so that incites a number of people and in  
10 others it's more intimately a neighbor, neighbor kind  
11 of thing because they'll feel frustrated because someone  
12 may move in that's different.

13 MR. HICKOCK: The reason I bring it up, I'm  
14 -- I think this Committee and I know myself personally,  
15 you know, there are two kinds of problems, one is the  
16 institutional racism, the KKK and groups like that we  
17 have to know about and we have to know if they are out  
18 doing things and causing problems, but there is also the  
19 problem of people and I notice, you know, that's what  
20 you're getting at, the father talks to the daughter and  
21 so forth; we need to know about both of those if we're  
22 to talk both kinds of understanding on our part.

23 MR. TYLER: One of the things we have  
24 started and we haven't completed is developing a



1  
2 curriculum that deals with that along with the  
3 Pennsylvania Department of Education, to talk about  
4 that at a very young age in a rural school or an urban  
5 school and a suburban school that will address that  
6 issue. There's been a lot of literature on that, but  
7 however, we're attempting to deal with that  
8 specifically in the Commonwealth of Pennsylvania.

9           Unless I forget, we also have to deal with  
10 this whole area of institutional vandalism that goes  
11 beyond just the desecration of a synagogue. We have had  
12 most recently, the desecration in a black cemetery in  
13 Collingdale and this is not the first time that it  
14 happened, one of the oldest cemeteries in this area of  
15 two hundred tombstones that were turned over and that  
16 amounts, I guess, to about ten thousand dollars in that  
17 replacement. We have that kind of thing occurring and  
18 it's based upon race.

19           MR. MILGRAM: Where was that?

20           MR. TYLER: That's in Collingdale,  
21 Pennsylvania. Eden Cemetery.

22           THE CHAIRPERSON: Thank you, Mr. Tyler.  
23 Thank you for sharing with us the two films that we were  
24 able to watch during the luncheon break.



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MR. TYLER: You're welcome.

THE CHAIRPERSON: I want to make sure that we have not overlooked any of the federal officials that were scheduled to be here. Is there anyone here that was scheduled?

(No response.)

THE CHAIRPERSON: All right, then, we'll turn next to the State Panel. Here we will have --

MR. MILGRAM: Before we go on. Is there anybody here who is not scheduled but is from the U.S. F.B.I. or the U.S. Department of Justice?

(No response.)

THE CHAIRPERSON: Apparently not. We have here Charles Neal; is it? I'm sorry, Carlene Neal. Can we have the testimony? Have you tossed a coin and decided who goes first?

MR. CLOUGH: My name is Robert Clough. I am employed by the Pennsylvania Human Relations Commission, the Commonwealth agency responsible for administering the anti-discrimination laws of Pennsylvania. I am also Assistant to the Coordinator of the Inter-Agency Task Force on Civil Tension. On behalf of both agencies, let me express our appreciation for



1  
2 this opportunity to share our experience regarding your  
3 topic of racial and religious intimidation.

4           The interest of the Pennsylvania Human  
5 Relations Commission in situations of racial tension  
6 stems from specific powers and duties of the Commission  
7 outlined in its law. For example, the Commission has  
8 the power and the duty "To investigate where no  
9 complaint has been filed, but with the consent of at  
10 least eight of the members of the Commission, any  
11 problem of racial discrimination, with the intent of  
12 avoiding and preventing the development of racial  
13 tension." That's under Section 7.

14           The Pennsylvania Human Relations Act has a  
15 "Section 8.1, Investigatory Hearings Related to Racial  
16 Problems." This in essence provides that whenever any  
17 problem of racial tension arises, the Commission may  
18 hold a public or private investigatory hearing in the  
19 county where the problem exists for the purpose of  
20 gathering all of the facts and making recommendations,  
21 the non-implementation of which can be the basis of a  
22 Commission-initiated complaint and Commission order.  
23 Records and witnesses can be subpoenaed and testimony  
24 taken under oath.



1  
2           It is from these legal mandates that the  
3 Pennsylvania Human Relations Commission has had a long  
4 history of participation in state level efforts to deal  
5 with tension situations related to the race, color,  
6 religion or national origin of individuals and groups.

7           A product of this longtime interest of the  
8 state Human Relations Commission in inter-group tension  
9 has been what is now known as the Inter-Agency Task  
10 Force on Civil Tension. It was anticipated just before  
11 the summer of 1972 that this was going to be a hot  
12 summer in many locations in Pennsylvania. In response  
13 to that expectation, the then Governor Milton J. Shapp  
14 promulgated the following Governor's Executive Order  
15 regarding Civil Disorder and Emergency, that was since  
16 repromulgated on April 4, 1978.

17           "It is the policy of this Administration to  
18 make every effort to resolve community problems, to  
19 establish dialogue with lawful dissenters, to preserve  
20 rights of peaceful assembly and expression, and to  
21 reduce tensions before employing law enforcement  
22 elements. Every state agency under my direction will  
23 make every effort to cooperate in carrying out this  
24 order, and will provide such assistance as is requested



1  
2 by me or my designated representative to prevent civil  
3 disorder and restore peace and order. All agencies will  
4 lend every assistance to reduce tensions and to help  
5 alleviate the causes of disorder, and will use such  
6 resources at their command as may be needed to  
7 establish and maintain lines of communication to an  
8 aggrieved community when called upon to do so."

9           At that point in time, a Governor's Civil  
10 Tension Task Force was created, consisting of cabinet  
11 level officials chaired by the Lieutenant Governor.  
12 When the level of tension eased somewhat, this Task  
13 Force was succeeded by what is now called the Inter-  
14 Agency Task Force on Civil Tension. This is a group of  
15 representatives of eight Commonwealth agencies, one  
16 federal agency, namely, the Community Relations Service  
17 of the United States Department of Justice, and two  
18 private statewide organizations, namely, the  
19 Pennsylvania Chiefs of Police Association and the Anti-  
20 Defamation League of B'nai B'rith. The Commonwealth  
21 agencies consist of such law enforcement agencies as the  
22 Pennsylvania Human Relations Commission, the  
23 Pennsylvania Office of Attorney General, and the  
24 Pennsylvania State Police. The other Commonwealth



1  
2 agencies consist of the Pennsylvania Department of  
3 Education, representing both concern with tension in  
4 school districts and tension in colleges and  
5 universities, the Pennsylvania Department of Community  
6 Affairs, the Pennsylvania Department of Public Welfare  
7 and representing ethnic groups the Governor's Council on  
8 the Hispanic Community and the Governor's Heritage  
9 Affairs Advisory Commission.

10           The overall purpose of the Inter-Agency  
11 Task Force on Civil Tension is "To respond to tension  
12 situations with maximum communication, cooperation, and  
13 coordination among the agencies represented on the  
14 Tension Task Force and with local government officials  
15 and community groups and representatives."

16           Its twofold purpose is to both reduce such  
17 inter-group tension and violence between individuals and  
18 groups and to help prevent or resolve the problems that  
19 cause such tension. It accomplishes these purposes by  
20 investigating and monitoring tension situations, by  
21 providing assistance to the victims of such situations  
22 and by assisting law enforcement, local governmental and  
23 community organizations in developing and implementing  
24 short-range and long-range plans to deal with the



1  
2 problems that cause such tension. To this task it  
3 provides the technical assistance and other resources of  
4 the Tension Task Force agencies.

5           Specifically, how does this Tension Task  
6 Force respond to inter-group tension? It happens to be  
7 my principal responsibility as Assistant to the  
8 Coordinator of this Task Force to implement this  
9 procedure. Let me recite a typical scenario in response  
10 to typically a phone call from a representative of one  
11 of our Tension Task Force agencies about a tension  
12 situation. I immediately complete a Tension Situation  
13 Report which includes the following kinds of elements.

14           THE CHAIRPERSON: Excuse me. I note that  
15 you have submitted this document to us or at least your  
16 organization has transmitted this document to us and  
17 that we have your testimony and each member of this  
18 Committee has your testimony. I'm wondering whether in  
19 the interest of time, you could just briefly summarize  
20 the thrust of the document, because it is a lengthy one  
21 and we are beginning to run out of time now.

22           MR. CLOUGH: Yes, sir, I was just following  
23 orders.

24           THE CHAIRPERSON: Can you kindly summarize,



1  
2 as best you can, since we do have your testimony here in  
3 front of us. I'm sorry if I'm throwing you a curve  
4 ball.

5 MR. CLOUGH: Basically what I do, sir, I  
6 sit in Harrisburg and make myself available to the  
7 members of the Tension Task Force. When areas  
8 throughout the state, from Western Pennsylvania to  
9 Eastern Pennsylvania have a problem dealing with ethnic  
10 intimidation or institutional vandalism, they call me on  
11 the phone. What I do is take the information, make out  
12 a tension sheet which is included in this form. Then I  
13 notify the State Police, the Attorney General's Office.  
14 If it's an incident in the Hispanic community, the  
15 Governor's Hispanic Council. If it's dealing with the  
16 Southeast Asian Community, I notify the Governor's  
17 Heritage Advisory Council person on our board. If it's  
18 a school incident dealing with higher education, I  
19 notify the Equal Opportunity Office of the Department of  
20 Higher Education and if it's dealing with a problem in a  
21 public school, I notify the Board of Education's  
22 Department of School Equity. Immediately I transmit the  
23 information to them. If they want to get involved, they  
24 let me know. I notify the person in our region that



1  
2 these people are available to them and they go  
3 immediately to the scene to see what they can do to  
4 eradicate the problem.

5 THE CHAIRPERSON: Can you provide this  
6 Committee with an overall sense of the dimensions of the  
7 problems we are confronted with in this arena now?

8 MR. CLOUGH: Well, in this are statistics,  
9 but basically let me say this. I receive from A.D.L.  
10 their reports where they sent me a list for the month of  
11 January until May, sixty-three cases of ethnic  
12 intimidation and institutional vandalism. I also  
13 through my conducting of -- or collecting of information  
14 from various people who call me assemble statistics  
15 basically of all those allegations that are made to this  
16 office, who responded to it and as a result of this, I  
17 can say that this region is the highest region for the  
18 amount of ethnic intimidation and institutional  
19 vandalism crimes that are committed.

20 THE CHAIRPERSON: In the State of  
21 Pennsylvania?

22 MR. CLOUGH: I'd say the counties of  
23 Chester, Delaware, Bucks, Montgomery have the highest  
24 incidents excluding the City of Philadelphia itself that



1  
2 has the highest. The most severe are the City of  
3 Philadelphia kinds of situations usually, although we've  
4 had some very severe cases of ethnic intimidation and  
5 institutional vandalism in the five counties surrounding  
6 the city also.

7 THE CHAIRPERSON: That's very helpful. We  
8 have an overall picture.

9 MR. MAHON: I'd like to follow up on that,  
10 can you say why that is true that the greatest incidents  
11 are here as opposed to Pittsburgh?

12 MR. CLOUGH: I'd say because the reporting  
13 system is probably more adequate. They probably have  
14 incidents in Western Pennsylvania, but we don't get the  
15 same kind of response from the agencies in Western  
16 Pennsylvania as we do in Eastern Pennsylvania and that's  
17 due to the efforts of Mr. Tyler in U.S. Justice and Mr.  
18 Percy and also our regional representative who will  
19 disseminate this information as quickly as possible so  
20 we have records of these things that occur. I've had  
21 incidents that weren't reported to me from Western  
22 Pennsylvania that I had knowledge of, so it means that  
23 the system has broken down as far as the information  
24 coming into my office is concerned.



1  
2 MR. HICKOCK: Don't you also have more  
3 ethnic groups in this part of the state, though?

4 MR. CLOUGH: Not really. We have more  
5 urban settings and suburban settings. In Western  
6 Pennsylvania you have large counties with very limited  
7 population. The City of Pittsburgh and Erie are perhaps  
8 the two largest cities in which, in comparing to  
9 Philadelphia, their reports are way down. I think that  
10 part of the reason is that there are -- the layout of  
11 the population is such that it is more of a, rather  
12 than an urban setting in a large city, it's more of an  
13 ethnic community kind of setting which is usually more  
14 stationary.

15 THE CHAIRPERSON: It sounds to me that you  
16 are evaluating the reporting system as much as you are  
17 reporting the actual incidents.

18 MR. CLOUGH: Well, I was hoping you would  
19 ask me what we needed and I was going to say a reporting  
20 system that is accurate and consistent so that we can  
21 identify these areas and immediately give them the same  
22 kind of response and help that we try to do in the areas  
23 in which we do get reports from Eastern Pennsylvania.  
24 We need to educate the community so they know what to



1  
2 report and when to report it. A lot of people wait six  
3 months later and, say, this happened to be in January  
4 and by that time it's over and a continuing situation  
5 where if we knew about it in January, we could go  
6 immediately to it and try to remedy that situation  
7 before it gets any worse or repetitive.

8 MR. HICKOCK: That brings me to a different  
9 kind of question. You say that most of your  
10 responsibility is reaction to events that have taken  
11 place or do you find that a lot of what you're trying to  
12 do is stop things from taking place. We've heard a lot  
13 of community groups talking. You don't do that?

14 MR. CLOUGH: At first it was reaction. We  
15 find that we've trained police departments on ethnic  
16 intimidation and awareness. We've trained Harrisburg  
17 police and the fire department. We've trained  
18 Lancaster. We're getting ready for York and Reading.  
19 We're having a conference in Pittsburgh. We just had  
20 one here in Philadelphia to educate law enforcement  
21 people. We have to disseminate the information to the  
22 community to -- so they know their situations and work  
23 with the police instead of working against the police  
24 and that they're not afraid to call the police because



1  
2 we are there to support them by giving them the kinds of  
3 information and the kind of support that they need to  
4 carry out their responsibility as citizens.

5 MR. MAHON: One follow up on that. Where  
6 are you getting the funds to do the training in York  
7 and Johnstown and Pittsburgh and so forth? Is that  
8 under the Ethnic Intimidation Act?

9 MR. CLOUGH: There are no funds under the  
10 Act. Part of our responsibility is to train upon  
11 request and what happens, for instance, Lancaster sent  
12 us a letter and said we need to train our people as far  
13 as what is the Intimidation Act and institutional  
14 vandalism. We've trained the State Police trainers.  
15 We've trained the State Police brass from the Lieutenant  
16 up to the Commissioner on ethnic intimidation,  
17 institutional vandalism and cultural awareness and the  
18 cultural awareness is just as important primarily  
19 because if the law enforcement agencies don't know how to  
20 respond to these kinds of things that they don't know  
21 about, then a confrontation is more likely to occur.  
22 We not only train the police officers. We train the  
23 firefighters also because ethnic intimidation is not  
24 strictly a black and white situation, as you know by now.



1  
2 It can occur in many forms to many people. It depends  
3 on the sickness of those involved. One of the things we  
4 found that if a fire usually occurs and if so, and the  
5 firefighters arrive on the scene, what do they do in  
6 order to apprehend the persons responsible for the act.  
7 Training, education, dissemination of information to the  
8 police officers as well as the citizens will help  
9 remedy this situation.

10 MR. MAHON: Had you trained the City of  
11 Philadelphia police or firemen before this Move  
12 incident?

13 MR. CLOUGH: They attended a conference on  
14 institutional vandalism and ethnic intimidation in  
15 Harrisburg in January, I believe or April. After that I  
16 have no information.

17 MS. DeCOLLINGWOOD: Did they attend a  
18 conference at the Temple University Law School?

19 MR. CLOUGH: Well, I work on the state  
20 level. We have regional offices in Pittsburgh,  
21 Harrisburg and in Philadelphia. What we did, we gave a  
22 central conference location in Harrisburg and the Ethnic  
23 Intimidation Conference is handled by the Philadelphia  
24 office and there will be one soon in Pittsburgh that



1  
2 will be handled by the Pittsburgh regional office. That  
3 way we allow the local communities to handle and get  
4 involved in the giving of this kind of a program so  
5 that will intice other people to get involved in local  
6 levels.

7 THE CHAIRPERSON: Perhaps this is a good  
8 time to move to your colleagues unless there are any  
9 further questions or comments.

10 Thank you very much.

11 MS. NEAL: My name is Carlene Neal. I'm  
12 with the Philadelphia Regional Office of the  
13 Pennsylvania Human Relations Commission. I am here  
14 along with Charles Gratman. We're representing Sandra  
15 Bacote today. She wished for us to extend her regret  
16 that she was unable to be here because of her conflict  
17 in schedule. She did want to attempt to make it but it  
18 was not possible and to assure you that it is not  
19 indicative of her -- the Regional Office's response  
20 to ethnic intimidation and racial and religious tension.

21 Getting back to what you said, there was  
22 only one person representing the Guardian Civic League  
23 from the Philadelphia Police Department at our  
24 conference last week. It was noted by many people that



1  
2 the presence of the Philadelphia Police Department was  
3 not there.

4 MR. MILGRAM: Were they very specifically  
5 invited?

6 MS. NEAL: Yes.

7 MR. MILGRAM: What was the conference  
8 called?

9 MS. NEAL: It was called Protecting Our  
10 Differences. It was held on June 13 at the Temple Law  
11 School.

12 MR. MILGRAM: June 13, 1985?

13 MS. NEAL: Yes and we did have  
14 representation from police departments of the five  
15 county area which encompasses the Eastern Region or the  
16 Philadelphia Region.

17 Briefly, my position is that I am the  
18 Supervisor of Education and Community Services at the  
19 Philadelphia Regional Office and Charles Gratman is the  
20 Housing Supervisor at the Philadelphia Regional Office.  
21 When there's a tension situation involving the school  
22 system, I get involved. The primary responsibility for  
23 tension rests with Charles Gratman in our Regional Office  
24 and he deals with our housing or housing related tension



1  
2 situations.

3 I'll turn it over to Charley now to  
4 provide the testimony.

5 MR. GRATMAN: Thank you for the opportunity  
6 to allow me to discuss the topic of racial and religious  
7 intimidation that takes place in Eastern Pennsylvania.

8 The Philadelphia Regional Office has  
9 responded to forty-six incidents of tension in the five  
10 county area of Southeast Pennsylvania in the current  
11 fiscal year. We've also conducted thirteen  
12 investigations into situations which were reported to us  
13 as tension situations, but were later found to be not  
14 tension related. We are all too aware of the fact that  
15 we believe that this total number is not at all an  
16 accurate count of the numbers or issues which are  
17 addressed by the private or public agencies. Thirty-  
18 five percent of the incidents, that's of the forty-six  
19 incidents, involve move-in situations or harassment of  
20 minorities where there is a suspected violation of fair  
21 housing provisions directed against individuals or real  
22 estate entities engaged in the implementation of fair  
23 housing or open housing mandates.

24 Typically one of the most recent incidents



1  
2 involved threats to a Delaware County realtor due to a  
3 sale of a black -- sale of a home to a black family in  
4 a community previously identified as white. The  
5 threatening notes to the real estate agency said "Stop  
6 selling your homes to niggers or your family will get  
7 this card" and it was signed KKK. The card was a  
8 sympathy card. This was one of three threatening  
9 communications which were sent to the real estate  
10 company through the mail and presently the F.B.I. is  
11 involved. The postal authorities are involved, the  
12 State Police are involved and of course our Commission  
13 is involved in the investigation.

14           Fifteen percent of the tension cases did  
15 not involve housing and may be characterized as  
16 institutional tension situations unrelated to housing or  
17 to vandalism of personal property.

18           Two recent situations merit note here. In  
19 the first instance a local girls school in Delaware  
20 County faced a problem of systematic racial slurs and  
21 the racial intimidation of the minority black student  
22 population. The second situation is the confrontation  
23 and direct action packed inspired religious group when  
24 dealing with another religious group when it sought to



1  
2 convert others to its beliefs.

3           Disputes and confrontations between  
4 individuals, between neighbors of different racial and  
5 religious or cultural backgrounds account for the third  
6 category of tension situations faced most frequently by  
7 our Regional Office. An example is a black family in  
8 Bucks County which is currently being harassed by a  
9 white neighbor. This case is in litigation and a charge  
10 of ethnic intimidation has been filed against the white  
11 neighbor in addition to the assault charges.

12           The track record of the Philadelphia  
13 Regional Office is clear. When black and Jewish  
14 families were threatened by acts of vandalism to  
15 property and threats of life in Roslyn, Abington  
16 Township, we were there. The Commission's presence  
17 resulted in a 1977 investigatory hearing and  
18 recommendations which brought change through enforcement  
19 of law, successful prosecution and the creation of local  
20 entities and institutional change which has created a  
21 healthier climate for minorities and non-minorities.

22           In 1981 when black families were reportedly  
23 threatened into relocation of a previously all white  
24 community of Eastern Delaware County we were there



1  
2 working on individual cases initially and finally  
3 establishing a pattern of the failure of local law  
4 enforcement agencies, secular and non-secular  
5 institutions to correct systematic violation of fair  
6 housing and criminal statutes, an investigatory hearing  
7 and subsequent recommendation resulted in the creation  
8 of new institutions and some leadership and cooperate  
9 efforts by the real estate and commercial establishment.

10           In 1978 when the Move or family advocates  
11 tension situation erupted in Philadelphia, we were also  
12 there. In fact, the Philadelphia Regional Office staff  
13 voluntarily teamed to provide a round the clock  
14 monitoring before the ultimate crisis.

15           We also worked to desegregate the all white  
16 Mounted Police Force which patrolled the Thirty-Third  
17 and Powelton area which heightened the existing tension  
18 levels.

19           In 1985 we have monitored from afar because  
20 of numerous agencies involved in a local level.

21           While we take pride in our presentation of  
22 the more dramatic efforts to meet our mandate, we all --  
23 we know all too well that the gains made were meager  
24 ones in an effort to create a regional climate



1  
2 respectful of racial and religious differences.

3           Staffing resources simply do not provide  
4 for the effective ongoing monitoring which is required  
5 of the more difficult tension situations and they do not  
6 allow for sufficient prevention efforts. Despite our  
7 recent conference with law enforcement and civil rights  
8 advocates protecting our differences, day to day ongoing  
9 efforts must be performed at the neighborhood and local  
10 level. Fair housing, civil rights and selective law  
11 enforcement organizations at the local level must be  
12 provided adequate, technical and financial resources to  
13 produce change at the most elementary community levels.

14           As the Pennsylvania Human Relations  
15 Commission discrimination caseload increases, staff  
16 resources are becoming sparse. Currently two staff  
17 persons myself and Carlene Neal perform the tension  
18 related responsibilities in the region. We would like  
19 to see the availability of technical and financial  
20 resources at the local level which would make our  
21 referrals, monitoring and direct service responsibilities  
22 a cooperative one with reliable local institutions.

23           Both Carlene and I will be responsive to  
24 any questions.



1  
2 THE CHAIRPERSON: Thank you very much for  
3 your comments and testimony. I think we have to simply  
4 move on.

5 MR. HOBAN: I'm Trooper Hoban.

6 THE CHAIRPERSON: I was about to call on  
7 you. Would you identify yourself, please.

8 MR. HOBAN: Martin Hoban from the  
9 Pennsylvania State Police. I'm the counterpart in the  
10 State Police on the Task Force and as a rule, I get the  
11 information from Charles Grätman at which time I present  
12 myself to the Chief of Police and make myself available  
13 either for the investigation or as an observer. We are  
14 available to the police departments for investigation,  
15 however, the police departments usually prefer to  
16 conduct their own investigations. However, they ask us  
17 for advice and use us for observers.

18 The Education Program mentioned by Mr.  
19 Clough, as of Monday morning, the Pennsylvania State  
20 Police will begin their education with the Ethnic  
21 Intimidation Law.

22 THE CHAIRPERSON: This is in cooperation  
23 with the Pennsylvania Human Relations Commission?

24 MR. HOBAN: Yes. I can submit to you the



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State Police policy on Ethnic Intimidation. That is, what we do and how we conduct the investigations.

MR. HICKOCK: How many other states or other programs like this in our state are operated? Do you know how many other states have Ethnic Intimidation statutes or how other states work with local police?

MR. CLOUGH: Our information has been given to us very adequately by Mr. Tyler. He is probably more equipped to answer that question than I am.

MR. TYLER: What was the question?

MR. HICKOCK: How many other states have Ethnic Intimidation statutes?

MR. TYLER: I can submit to you every state that has one and they're limited to some degree. Right adjacent to us, one state, the State of Maryland has a good one. Seattle, Washington, Utah, Maine, New York. To the best of my knowledge, Delaware does not have one. West Virginia does not have one, New Jersey, but we have done some research. It may be dated. It's 1983, but I can submit that to you.

MR. HICKOCK: Well, I was asking because in the process of establishing workshops and training programs and communication networks and so forth, I was

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wondering if an attempt was made to look at how it was done in other states, either for a --

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MR. CLOUGH: When we were setting up our training programs, Mr. Tyler gave us the information that he had received from other agencies and we evaluated it and from it we extrapolated the good parts that would make ours more binding and we also included some of our own and from that we came up with our purpose and as far as training is concerned, we're trying to go as close to the Act as we can, because it's continually changing. In fact, there is a change coming out now from the original Act, amendments to it which will make it stronger which means our training will become more precise and more stronger too in order to help enforce those laws, and that's what we're trying to do. We're trying to take the loopholes out so that when charges are made they can be prosecuted from arrest all the way up to the courts.

MS. DeCOLLINGWOOD: Mr. Hoban, you mentioned that the State Police is going to begin education, training courses on the Ethnic Intimidation?

MR. HOBAN: Yes.

MS. DeCOLLINGWOOD: Is that voluntary on the

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1  
2 part of the department?

3 MR. HOBAN: Yes.

4 MS. DeCOLLINGWOOD: As I think I read into  
5 your comment before, it is not mandatory.

6 MR. HOBAN: It's voluntary.

7 MS. DeCOLLINGWOOD: Will that be given to  
8 every member of the State Police?

9 MR. HOBAN: Every member of the State  
10 Police.

11 MS. DeCOLLINGWOOD: Not just entering  
12 cadets?

13 MR. HOBAN: Every member.

14 THE CHAIRPERSON: What has been the  
15 experience of the State Police with the Ethnic  
16 Intimidation Act?

17 MR. HOBAN: I think we should not under-  
18 estimate the private complaint. When a police  
19 department is called into a neighborhood, of course  
20 they're called in, they don't take a side. They're  
21 neutral. They're investigating a complaint of, say,  
22 someone just throwing stones. That might be the  
23 beginning of something which comes later on. I know of  
24 a case in Prospect Park, Delaware County where



1  
2 harassment was going on, a move-in was being harassed by  
3 a white neighbor and went on and on and on. It amounted  
4 to little harassments. It was stopped by a private  
5 complaint. The reason I say a private complaint over a  
6 police complaint is that if you make a private complaint,  
7 you can say, okay, Your Honor, I'll stop it. That is  
8 less likely to happen with a police complaint.

9 THE CHAIRPERSON: Are you saying that if an  
10 individual makes the complaint in front of a court, that  
11 is more likely to receive attention than if --

12 MR. HOBAN: No, but there is more  
13 flexibility there. In other words, if I made a  
14 complaint against you rather than having the police make  
15 it, I can say I'll withdraw the charges. The police are  
16 less likely to withdraw the charges.

17 MR. MILGRAM: You as a State Trooper are  
18 different than the local police?

19 MR. HOBAN: Any police department. Let me  
20 give you a parallel. A union situation where there is  
21 an argument about whether to use union or non-union  
22 labor. Now, this has happened in Kennett Square where  
23 an attorney who was taking photographs with a videotape  
24 camera was assaulted by a union member and he said to



1  
2 the State Police, we want charges filed and the charges  
3 were filed. Then they said, no, we'll drop the charges,  
4 so the charges were then withdrawn. Now, later on they  
5 discovered that when the man was hit, he suffered brain  
6 damage which they didn't realize at the time. Then they  
7 wanted the charges reinstated, but, you see, you're not  
8 going to have a police department doing that, whereas if  
9 they were filed privately, it would have that -- you  
10 would have that flexibility. Well, Your Honor, we'll  
11 withhold the charges for now or we'll hold them in  
12 abeyance. I'm not saying that this is the only way to  
13 go or that the police should not make the complaint, but  
14 I think it's often overlooked in our debates about the  
15 Ethnic Intimidation Law. I think when the person signs  
16 a complaint itself, it just gives it more weight and it  
17 shows the offender that the complainant really does mean  
18 business.

19 MR. CLOUGH: Sir, when you go over this,  
20 under Section 2 of the Act itself, it shows you that an  
21 individual can file a civil action and as a result of  
22 this, they can get damages, special damages, emotional  
23 distress damages, punitive damages, reasonable attorneys  
24 fees and whatever which usually through the criminal



1  
2 court itself, it may or may not be a part of the mandate  
3 of the court. So, there are two ways to go and what I'm  
4 saying in educating the public, if they go to the police  
5 and they don't get the response, they can still go to  
6 the District Attorney of that particular county and  
7 file the same charge or go to the District Justice.

8 MR. HOBAN: Or they can sign together with  
9 the police.

10 MR. MAHON: As a follow up on Mr. Friedman's  
11 question and not necessarily a question of you, but do  
12 you feel that the Ethnic Intimidation Act has had a  
13 positive impact on Pennsylvanians in terms of refusing  
14 intimidation or do you feel that it's still not known  
15 enough. What's your assessment of the impact or the  
16 effectiveness of that Act?

17 MR. CLOUGH: My assessment and my opinion  
18 is that it has helped us to educate police departments  
19 not only in ethnic intimidation and institutional  
20 vandalism and the seriousness of that particular act by  
21 it now being a crime, but it also gives us an opportunity  
22 to work with that police department in dealing with  
23 cultural awareness kinds of problems which I think a lot  
24 of the problems stem from that particular thing. People



1  
2 will move into a community and rumors will circulate,  
3 this person is this, that and the other, but when the  
4 people get to know the realities of the people, what  
5 they really are like, then they say, they're no  
6 different than we are, they just do things differently  
7 than we do. So, the State Police asked us to help them.  
8 We responded. That's our job. Police departments ask  
9 us to train their men. We respond which is great, so  
10 the Act has helped people to get the initiative to get  
11 help that they need from us and we can respond without  
12 it being a political kind of a situation.

13 THE CHAIRPERSON: In the actual acts of  
14 vandalism and ethnic intimidation, apart from the  
15 educational aspect of the law --

16 MS. NEAL: I'd like to respond to what you  
17 were saying. I think that since 1982 the number of  
18 instances in which the Act -- the number of instances  
19 in which it has been utilized to mitigate tension or to  
20 provide relief does not suggest that it is fully  
21 utilized yet and the educational efforts which -- these  
22 conferences and the police training are very recent, so  
23 we have yet to really see the actual full understanding  
24 of how the Act can be utilized not only by the victims



1  
2 but by the police departments whose responsibility it is  
3 to enforce it.

4 MR. GRATMAN: The answer is, yes, it is  
5 important and what it's doing for agencies such as ours  
6 is that in the past where a cross would be burned on a  
7 lawn, it would be reported as possibly vandalism or  
8 maybe just a fire on the lawn. Now it should be  
9 reported as ethnic intimidation, which legally explains  
10 what it is. If a church or a synagogue has been spray  
11 painted, we now have institutional vandalism. Sometimes  
12 that it was a swastika would not appear. Vandalism  
13 would be written down. Now, we know exactly what it is,  
14 otherwise what we're trying to get across to the  
15 training program is that it's an improper police  
16 incident report and if we get the proper incident  
17 reports completed, we will now know exactly what is  
18 going on in the Commonwealth and that's why it is  
19 important.

20 MR. HICKOCK: One other question. I was  
21 wondering how often would you say in a report of an  
22 incident that is supposed to be racially motivated, when  
23 you investigate it, you find out there was another  
24 motivation? Does that happen very often?



1  
2 MR. HOBAN: This is a common complaint of  
3 the police. Oftentimes they'll have things going on in  
4 a neighborhood, things that they can just show a history  
5 of vandalism in a particular neighborhood and then a  
6 minority moves in and then the vandalism turns to a  
7 racial tone. So, the argument there is, was it racial  
8 or was it just indoctrination of this person to the  
9 neighborhood which is going on for so long, but you'd  
10 have to say, yes, it was racial intimidation.

11 MR. HICKOCK: I guess that's the point. If  
12 it's an Ethnic Intimidation statute, then obviously you  
13 have to find some way in demonstrating that it was what  
14 took place. I don't know how difficult that is at times.

15 MR. GRATMAN: Let me add to that. We had  
16 our investigatory hearings. This might be an example  
17 of what you're looking for. This is back, I guess in  
18 '77 and we had access to police incident records. We  
19 went through some of the police departments. You would  
20 find them to be what you would expect them to be, a car  
21 window broken, a tire slashed and you would get this  
22 type of repetition. Then every once in a while you would  
23 see every tire slashed, every window broken, cars spray  
24 painted and you would see patterns of that every once in

1  
2 a while. It reached a point where you almost didn't  
3 have to look as to the race of the person. You would  
4 know by the type of damage that it got beyond the point  
5 of somebody walking down the street and just scratching  
6 cars. It would be an attack and it would be a vicious  
7 attack not to break a window, but to send out a message.  
8 That would still be called vandalism. You could  
9 distinguish, but it took a long time.

10           Coming back to the ethnic intimidation, it  
11 is an important issue but it's only important if the  
12 police departments utilize it and we're hoping that they  
13 will.

14           MR. MAHON: What is the length of the  
15 training that the State Police will begin on Monday?

16           MR. HOBAN: It will be an eight hour  
17 course.

18           MR. MAHON: Would it be possible to supply  
19 us with an outline of what's covered in the training, in  
20 the eight hour program?

21           MR. HOBAN: Yes.

22           THE CHAIRPERSON: Is there a Martin Hoban  
23 here?

24           MR. HOBAN: Yes.



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THE CHAIRPERSON: You are Martin Hoban?

MR. HOBAN: Yes.

THE CHAIRPERSON: Then is there a Miller  
Tabler?

MR. HOBAN: Absent.

MR. STOLARIK: In a few minutes we'll hear  
from a Local Panel and we'll have heard from local,  
state and national. My question is a procedural one, if  
someone makes a complaint of ethnic intimidation or  
harassment or whatever, how does it work itself from the  
local, state to the national?

MR. GRATMAN: We're innerconnected.

MR. STOLARIK: Do you hear about it right  
away?

MR. GRATMAN: It would depend. If it took  
place in Philadelphia and it was not, say in a border  
street to one of the counties, we may not hear about it  
for a while because it would be an in Philadelphia  
problem. If it took -- if it was reported to us, we  
would immediately notify the Philadelphia Commission on  
Human Relations. If it took place in one of the  
counties, the Philadelphia Commission probably wouldn't  
hear about it because it may not concern them unless it

1  
2 was, again, in a border community and we thought it would  
3 spill over into Philadelphia. We are innerconnected.  
4 There is a monthly meeting in Harrisburg. Philadelphia  
5 is a participant. All the state agencies participate,  
6 the federal government participates and there is a  
7 sharing of information. One of the things that I think  
8 Bob Clough was trying to say and it's probably in his  
9 report is that in the absence of funding, all the  
10 agencies perform these duties through self-financing and  
11 the amount of distribution and how this takes place is  
12 voluntary and at times it breaks down because of that.  
13 There is no funding available for this type of program.  
14 It's all voluntary. We all absorb it.

15 THE CHAIRPERSON: Thank you very much.

16 Shall we start with Mr. Shanahan?

17 MR. SHANAHAN: I'm Captain James Shanahan,  
18 Commanding Officer of the Civil Affairs Unit of the  
19 Philadelphia Police Department.

20 I'd like to start off first by saying that  
21 in reference to the hearings of the Pennsylvania Human  
22 Relations Commission which were held last week at  
23 Temple Law Center. I only found out about those  
24 hearings myself a couple days ago from an outside



1  
2 source. I brought this to the attention of the Police  
3 Commissioner and he had told me that he was not invited  
4 to this thing.

5 MS. NEAL: Yes, he was.

6 MR. SHANAHAN: How was it communicated?

7 MS. NEAL: We used the media, for one thing  
8 to advertise the event. We had sent pre-registration  
9 information out.

10 MR. SHANAHAN: To whom?

11 MS. NEAL: I do recall something with the  
12 Police Commissioner's name on it and I was responsible--

13 MR. SHANAHAN: I don't think that's fair if  
14 you recall something of it. The Police Commissioner is  
15 telling me that he did not receive an invitation.

16 MS. NEAL: I do know that Charley and I  
17 send out a lot of mail and the Police Commissioner was  
18 on that mailing list. Well, that's the way that was.  
19 There were also some organizations, I believe, within  
20 the police department that were sent some communication.

21 MR. SHANAHAN: You did mention one  
22 organization that was represented there.

23 MS. NEAL: That was one --

24 MR. SHANAHAN: I was not notified and that

1  
2 I inquired of the Police Commissioner.

3 MS. NEAL: I'll tell you this. There is  
4 documents in the office and you're welcome to see them  
5 that verify that there have been attempts also to  
6 include them in some co-sponsoring activities.

7 MR. SHANAHAN: Fine. Thank you.

8 I know that we're pressed for time here and  
9 I'll be short. The responsibilities, the primary  
10 investigation of these types of incidents, the  
11 responsibility of the geographical detective division  
12 area of the occurrence of the event with the assistance  
13 of the Juvenile Aid Division if the offenders or  
14 suspects or whatever are under eighteen years of age.  
15 The Civil Affairs responsibility is to make follow up in-  
16 interviews of the complainants, witnesses and community  
17 members to ascertain the causes of said occurrences or  
18 incidents to see if we can place the causes. We  
19 establish patrol checks of the neighborhoods and follow  
20 up contacts are made on most of these incidents in an  
21 effort to diffuse the emotions and prevent similar  
22 occurrences. We attempt to work with community people  
23 within the community that we have dealt with on other  
24 reasons and other areas that we might be involved.



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2           Myself as the Commanding Officer of the  
3 Civil Affairs Unit and Lieutenant Falcone who is the  
4 Lieutenant of the Civil Affairs Unit and a police  
5 department representative have a weekly meeting of the  
6 Managing Director's Inter-Agency Task Force. This Task  
7 Force was formed by the Managing Director to coordinate  
8 all racial and religious intimidation type incidents  
9 and to define which areas in the city are responsible  
10 for bringing a solution, a situation to its successful  
11 conclusion. Additionally, incidents of gang related  
12 activities and neighborhood unrest situations are  
13 discussed at length. These may or may not involve the  
14 Civil Affairs Unit personally.

15           The Task Force is made up of members of the  
16 Philadelphia Commission on Human Relations, Community  
17 Intervention Programs, the Crisis Intervention Network  
18 and a representative from the Criminal Justice  
19 Coordinating Office, Mr. Richard Moore and any other  
20 agencies actively involved in suppressing violence  
21 directed at specific racial and/or religious groups or  
22 ethnic groups. Additional agencies such as the Southwest  
23 Philadelphia Task Force and other agencies that have been  
24 formed to deal with these situations in specific areas

1  
2 of the city also sit in on these meetings as designated  
3 by the Managing Director.

4           The Civil Affairs Unit was involved from  
5 10-1-84 to 6-1-85 in the handling of fifty-one cases  
6 where racial, religious or ethnic intimidation was  
7 apparent. Of these fifty-one cases, three involved  
8 cross burnings. Twenty-four involved Southeast Asians  
9 as targets that were perpetrated by both white and black  
10 groups and the remaining twenty-four incidents involved  
11 situations, black on white, white on black, Hispanic on  
12 black and so forth. Of those incidents that I'm  
13 referring to, in the twenty-seven racial incidents  
14 including the cross burnings, there was a total of  
15 fifteen arrests and one exceptionally cleared wherein  
16 the perpetrator was identified, but there was a  
17 withdrawal of prosecution by the person that was  
18 involved in it. In the twenty-four Asian incidents,  
19 unfortunately there was only five arrests involved.  
20 There is and I think we ought to accept it, there is a  
21 reluctance of the Asian population to report crimes to  
22 the police. It's a bad situation we're attempting to  
23 deal with here in the City of Philadelphia.

24           It has been the experience of the Civil



1  
2 Affairs Unit that the incidents of cross burnings,  
3 anti-Semitic, including racially motivated violence is  
4 in most cases the work of teenagers and young adult  
5 offenders. The acts of anti-Semitic graffiti, including  
6 swastikas spray painted on synagogues and so forth,  
7 would appear to be in the category of juvenile pranks in  
8 a desire to commit vandalism by the offenders. This is  
9 most likely based on what the offender sees, reads,  
10 thinks and attitudes developed at home around the table.  
11 These incidents are considered serious and potentially  
12 dangerous occurrences and are investigated and processed  
13 with as much intensity as any other reported crime.  
14 Coupled with the attitude of the offenders is the  
15 national problem of teenage alcohol and drug abuse. It  
16 is believed that the use of alcohol and drug by the  
17 offenders escalates nerve enough to commit criminal  
18 acts. A prime example of this is defacing tombstones,  
19 monuments and places of worship.

20           The more recent Southeast Asian incidents  
21 in the City of Philadelphia is a new experience for a  
22 lot of policemen. Violence directed at these groups  
23 would appear to be by individuals who feel threatened in  
24 their jobs, their values and by this new population

1  
2 group with cultural differences and causes a problem.  
3 This seems to be the basis of where it's at.

4           There does not appear to be, though, a  
5 pattern of any white supremacist groups or any other  
6 concentrated organized activity emerging in the  
7 Philadelphia area. Most of these acts appear to be  
8 individuals acting, maybe in concert with two or three  
9 other individuals, but nothing in an organized nature of  
10 the Ku Klux Klan or anything of that nature.

11           Thank you.

12           THE CHAIRPERSON: You are representing  
13 Philadelphia here, so maybe we ought to pause and ask  
14 questions.

15           MR. HICKOCK: I was just wondering and I  
16 guess I'm asking for sort of a gut reaction based upon  
17 your observation and so forth within the police  
18 department, how do most members of the police force feel  
19 about this relatively new statute and the kinds of  
20 issues?

21           MR. SHANAHAN: I think it's a very good  
22 statute. I think the problem is the publication that  
23 these potential offenders are not aware of it. I think  
24 there should be some sort of a campaign, a stronger



1  
2 campaign than I've observed personally to involve the  
3 public, to make the public aware that this is not going  
4 to be tolerated and that they know what they're getting  
5 into and a lot of the responsibility of our unit is to  
6 make sure that these things when they are reported to  
7 the police, that they just don't end up, as we talked  
8 about before, as vandalism. Sometimes in a system it  
9 has a tendency to do that. I think sometimes the  
10 situation becomes those types of things where kids get  
11 themselves involved or young adults get themselves  
12 involved in doing this because they don't know or  
13 understand these people and they do something and they  
14 don't realize what they're getting involved in. If this  
15 law was more publicized, it would have a greater effect.

16 MR. HICKOCK: Based upon what I've heard  
17 today, I would certainly argue that it's a tremendous  
18 law, but do you think that most of the members of the  
19 police force feel it's one more problem that they're  
20 going to have to deal with or do you think it's  
21 something that they would tend to think that it not only  
22 should be enforced but that they would support it  
23 themselves?

24 MR. SHANAHAN: Yes, we have a sensitivity

1  
2 course at the police academy and part of this is what's  
3 going on with this law. I don't think there's any  
4 problem with enforcing the law.

5 MR. HICKOCK: I think by definition based  
6 upon your comments that anyone charged with an  
7 obligation to enforce a law such as this, would be quick  
8 to become much more aware and sensitive to these kinds  
9 of problems.

10 MS. DeCOLLINGWOOD: A report recently came  
11 by my desk about an incident that could be interpreted,  
12 I read it very quickly, but there was also something in  
13 the media that seems to insinuate that there are some  
14 incidents that could be classified as ethnic  
15 intimidation on the part of the Philadelphia Police  
16 Department in the Spring Garden area where a number of,  
17 not arrests, but people who were of Puerto Rican descent  
18 or Hispanic origin were pulled into the police station  
19 for interrogation as a result of Officer Trench's  
20 unfortunate incident.

21 MR. SHANAHAN: I don't think I'm really  
22 prepared to answer you with regard to that situation.  
23 I was not involved in the investigation of that  
24 situation or in that community so I don't think it would



1  
2 be fair to myself or the department to comment on that  
3 situation because I don't have any knowledge of the  
4 specifics of what happened out there.

5           THE CHAIRPERSON: I have a question and  
6 it's been bothering me for a number of years and that is  
7 the precision with which we have information about  
8 ethnic incidents or whether they be of a mild kind like  
9 in swastika daubings or actual physical attacks.  
10 Earlier this morning we heard from the Anti-Defamation  
11 League that the state of anti-Semitism goes up or down  
12 based on incidents reported to them and if they are not  
13 reported to them, then it can go up or down depending on  
14 how --

15           MR. SHANAHAN: It's like the crime rate.

16           THE CHAIRPERSON: I've had a sense for some  
17 years and here as a professional employed in that work  
18 of not really knowing what in heaven is really going on  
19 and finding that in the New York Times and other places,  
20 they are taking information which is essentially reports  
21 that are given to an agency and then the New York Times  
22 will print it as, anti-Semitism is up or anti-Semitism  
23 is down. You actually keep records of incidents as  
24 reported to you as well?

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2 MR. SHANAHAN: As reported to us. It's  
3 obviously the same thing that we might read something in  
4 the newspaper that has never been reported. It may go  
5 to the newspaper and not be reported.

6 THE CHAIRPERSON: Do you have any  
7 willingness or ability to actually report year by year  
8 to the public on these matters so at least an official  
9 agency that has responsibilities here could make  
10 available such information? I realize it's maybe the  
11 same problem.

12 MR. SHANAHAN: I'm sure that we could. It  
13 would be very easy to statistically give information on  
14 these situations and breaking them down could be done.  
15 I'm sure that could be done and provided to you people  
16 through the Police Commissioner. If you were asking for  
17 specific information, I can take that down. Are you  
18 talking about all these instances?

19 THE CHAIRPERSON: I've been thinking for a  
20 number of years of the issue of how to get your hands on  
21 sufficiently precise information, to get a real sense of  
22 what is the nature of racial, religious and ethnic --

23 MR. SHANAHAN: A lot of it is not reported.

24 MR. HICKOCK: Wouldn't you think that most



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of it is reported?

MR. SHANAHAN: No, I don't think that. I think a goodly percentage is not reported. I don't want to use figures, but a goodly percentage is not reported.

THE CHAIRPERSON: But this isn't a question of --

MR. SHANAHAN: I don't know how you can address crime that is not reported to you, unless you do surveys of people that have been done in the past, victims of that type of situation as to crime that they've had perpetrated against them and never reported. They have done surveys like that and have shown a tremendous amount of crime that is not reported.

THE CHAIRPERSON: Shall we go on to Mr. Duffy?

MR. PURIEFOY: May I go next?

MR. DUFFY: Yes.

MR. PURIEFOY: My name is Carson Puriefoy, Director of Programs of the Community Action Agency of Delaware County. I'm here on behalf of the Community Action Agency and its board of directors as well as the Delaware County Council. We are the designated Anti-Poverty Program for the County of Delaware and also

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2 the County Council as a result of the Task Force that  
3 had been set up some years back to study racial violence  
4 and discrimination in the county. We have been  
5 designated by the county to hear alleged cases of  
6 discrimination in the county. The county could have  
7 come out with an ordinance or they could have established  
8 another bureaucracy to hear cases of alleged  
9 discrimination in the county, however, they saw to do it  
10 differently, they saw to put it through our agency and  
11 have us to hear these various cases and then to pass  
12 them onto the proper regulatory body.

13           When this first happened, I wasn't too  
14 really pleased with this, because it gave us no police  
15 powers, but at the same time I realized -- I realize now  
16 that it was something that we have been able to use and  
17 make use of it to our benefit as well as to the benefit  
18 of those disadvantaged citizens in our county, for the  
19 simple reason that we are a multi-service program and we  
20 have many people come into our program. Delaware County  
21 has five hundred and fifty thousand people and thirty-  
22 seven thousand of those people are considered to be  
23 disadvantaged and because most of those people that are  
24 disadvantaged in some way or another interface with our



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2 program, whether it's through the Utility Program or the  
3 Housing Program, the Emergency Services Program or the  
4 Federal Food Commodity Program, they do come in contact  
5 with our program and as a result of that, they happen to  
6 know where we're located. We happen to be physically  
7 located in the third most impoverished city in the  
8 country which is Chester City. People do come to  
9 Chester. They come to our program seeking services and  
10 therefore, if they feel that they've been discriminated  
11 against, then they do come to our program and we do have  
12 a sensitivity and we respond to these people's needs and  
13 I think in that sense even though we don't have any  
14 police powers and can't really do anything, we can give  
15 them access to the system and they're more willing to  
16 listen to us, they're more willing to come to our  
17 agency and file a complaint as opposed to going into a  
18 police department or into the Pennsylvania Human  
19 Relations Commission which is located all the way in  
20 Philadelphia and many of the citizens in Delaware County  
21 have really never been into Philadelphia or if they've  
22 been to Philadelphia, they can't really find their way  
23 and so in that sense I think that we have been able to  
24 be of some service.

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2 I am somewhat dismayed that we don't have  
3 that many complaints coming in. I don't think that's  
4 indicative of racial discrimination, ethnic intimidation  
5 not taking place. I think, in fact, that it's on the  
6 rise. I just feel that, as the gentleman just said  
7 here, I think there are a lot of cases that are just not  
8 reported. I think that there needs to be some push to  
9 raise the consciousness and awareness of the public.  
10 I think there needs to be an intensive -- we need to  
11 intensify -- I think we need to publicize more of the  
12 things that are going on, more of the agencies that are  
13 available to help people and I think that if that  
14 happens, I think people are going to be more prone to  
15 come out and say they've been discriminated against or  
16 they've been treated unfairly and I think those cases  
17 then will reach the proper authorities.

18 That's basically our role in Delaware  
19 County.

20 MR. HICKOCK: My impression is that one of  
21 the reasons you're here is because of your unique  
22 status of not being a governmental institution.

23 MR. PURIEFOY: We're a private non-profit  
24 institution.



1  
2 MR. HICKOCK: Do you think that one reason  
3 is that you don't get as many complaints is because  
4 you're not a governmental agency?

5 MR. PURIEFOY: That could be, but I think  
6 the primary reason is that people just are reluctant to  
7 come forth simply because there's been a long history of  
8 the revolving door kind of thing and in many instances  
9 nothing has been done to their satisfaction.

10 MS. DeCOLLINGWOOD: Do you think that there  
11 would be less reluctance to report to an agency that is  
12 more open and perhaps more friendly and perhaps more in  
13 touch with the community than a government agency?

14 MR. PURIEFOY: Absolutely.

15 MS. DeCOLLINGWOOD: What seems to me, then,  
16 is that you would benefit from, for lack of a better  
17 word, marketing -- how do you advertise the fact that  
18 you are the agency that's monitoring these incidents?

19 MR. PURIEFOY: We advertise through our  
20 brochures for our program as well as through the public  
21 service announcements and all the other various means of  
22 advertising that we do for our program and again, we see  
23 somewhere in the neighborhood -- we serviced last year  
24 over two hundred and forty thousand people in terms of

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2 giving them food and utility assistance and that kind of  
3 thing and so, therefore, we do see a lot of people in  
4 the county and they are made aware of all the programs.  
5 We also conduct seminars, workshops and this kind of  
6 think and our brochures, they inundate the county.

7 THE CHAIRPERSON: I'm going to move us on  
8 to, if I may, to Mr. Duffy who carries the reputation of  
9 having brought the first indictment, conviction under  
10 the Ethnic Intimidation Act.

11 MR. DUFFY: That's right. My name is  
12 Martin C. Duffy. I'm Chief of Police of the Newtown  
13 Township Police Department in Bucks County. Newtown  
14 Township is located approximately twenty-five miles  
15 north of the City of Philadelphia.

16 I'd like to briefly explain the facts of  
17 the first arrests under the Ethnic Intimidation Law.  
18 I have an article. On July 4, 1983, the Newtown  
19 Township Police Department received a call about  
20 2:40 p.m. from a Mrs. Carol Scott. Mrs. Scott is black.  
21 She resides with her family in a housing development  
22 known as Newtown Crossing. The Scotts at that time were  
23 the only black family in a housing development of  
24 thirteen hundred families. Sometime during the night,



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2 overnight of July 3rd into the morning of July 4th,  
3 somebody burned a three foot by two foot cross on the  
4 Scotts' front lawn using some type of accelerant and put  
5 it in the shape of a cross and they lit it. Our initial  
6 investigation led us to some people in the neighborhood  
7 who supplied us with some information about possibly  
8 some people in that neighborhood that might be involved.  
9 Subsequent follow up investigation led to the arrest of  
10 two fifteen year old white juvenile boys who lived  
11 approximately one block from the Scotts. It was  
12 discovered that on the evening of July 3rd these two  
13 boys were at a party approximately a block from where  
14 the Scotts lived. They talked about at the time that a  
15 black family lived in Newtown Crossing and they desired  
16 to go down to their home and cause them a little  
17 harassment. They left the home, went to the home of one  
18 of the juveniles with a eighteen year old white male  
19 driving the car, obtained a container of gasoline, went  
20 to the Scott home, placed it on the front lawn, lit it  
21 and left the scene.

22 Now, both of the juveniles have been  
23 arrested. Unfortunately, we have not been able to  
24 locate the eighteen year old who was driving the car.

1  
2 He has left the state supposedly. We have not been able  
3 to locate him. Both juveniles were petitioned to Bucks  
4 County Court. Both of them came from that development.  
5 One young man came from a well to do family. The other  
6 young man's father was an attorney, very uncooperative  
7 with the police department. Both juveniles were  
8 adjudicated, being juvenile delinquents, both were  
9 placed on probation and have been doing some sort of  
10 community work.

11 I think it's very important when we're  
12 training police officers, in local police departments  
13 especially, to stress that initial police response  
14 should be handled as a serious matter. I think too many  
15 times we're going to scenes of acts of ethnic  
16 intimidation, cross burnings or painting of swastikas or  
17 whatnot and we're handling it just as criminal mischief.  
18 It's also to be stressed to any officer that a  
19 successful prosecution will require that the officer  
20 goes beyond the normal investigation. You have to do  
21 more than just taking the report down and filing it at  
22 headquarters. There must be a thorough follow up  
23 investigation, keeping the victim informed of what's  
24 going on at all times. It's important that the officer



1  
2 must establish the intent to intimidate or harass was  
3 because of that person's race, color or religion,  
4 ancestry or national origin.

5           It's also very important to stress the  
6 gathering of physical evidence. Too many times they  
7 take the report and somebody decides later on, this is  
8 really serious, we have to go back to the scene and  
9 gather physical evidence. We go back and the physical  
10 evidence is gone, possibly any accelerants used, any  
11 containers, any spray cans left at the scene that  
12 possibly might have fingerprints on them. We have to  
13 gather the physical evidence, get the photographs, take  
14 fingerprints, get statements from witnesses as soon as  
15 possible.

16           The most important thing that must be  
17 stressed is that we relay an attitude of sensitivity and  
18 tact. You must be very sensitive and tactful in dealing  
19 with the victims. When you receive the call, going back  
20 and talking to the victims, letting them know that you  
21 are really concerned that this will be followed up and  
22 we're just not going to file it and forget about it.  
23 This proper attitude will enhance public confidence and  
24 the respect of the local police department.

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2           The key to any local police department is  
3 your Police Chief. Newtown Police Department has twelve  
4 officers. We don't have the luxury of a community  
5 relations officer, we don't have evidence technicians,  
6 but we know where to get these resources. We can call  
7 on the District Attorney's Office, we can call on the  
8 State Human Relations Commission, the Inter-Agency Task  
9 Force on Civil Tension, we can call on community groups  
10 and we do that. It's also the Chief's responsibility to  
11 contact the Human Relations Commission, other interested  
12 community groups and let them know what's going on.  
13 Don't let them hear by rumor what's going on.

14           You heard a lot of people talk about  
15 training. In Pennsylvania it's mandated that every new  
16 police officer coming on the job receives four hundred  
17 and eighty hours of training. I think it's a great idea  
18 that we include a block of training about ethnic  
19 intimidation investigation. That's great. But there is  
20 a big problem. The big problem is, bringing that back  
21 to your local police departments and that officer being  
22 able to use that training. Many times, an officer will  
23 come back to a local police department and they'll be  
24 told by a veteran on the street, forget what you learn



1  
2 at the academy. You're going to do what I tell you to  
3 do. We have a problem and a lot of police departments  
4 have that problem today. The Police Chief is the key.  
5 He has to be committed. If he is not committed, he does  
6 not relay his feelings of commitment to his officers.  
7 He doesn't have to go too far to establish control in  
8 the police department. Most police departments in Bucks  
9 County average twelve to fifteen officers. He must  
10 convey to them that he is committed, he's not going to  
11 tolerate any dereliction of duty when it comes to  
12 investigating these types of crimes.

13 I say this, it's not a very popular  
14 position, we do have problems in our ranks. We have  
15 problems with people who because of their own personal  
16 prejudices will discourage young officers or other  
17 officers from investigating this. I'd be lying to you  
18 people if I said everything is fine. We're going to get  
19 this Ethnic Intimidation Act, we're going to solve all  
20 the problems. Unless we have that commitment from the  
21 Chief of Police to take action and to let the people  
22 know that he's not going to tolerate any dereliction of  
23 duty when it comes to investigating this, the problems  
24 are going to continue.

1  
2           You know, we have in this country a great  
3 program on drunken driving. We have Mothers Against  
4 Drunken Driving, we have groups that are so outraged  
5 with what's going on in this country with drunken  
6 drivers, that pressure was exerted on the federal, state  
7 and local levels to do something about it and we are, we  
8 got the pressure, we feel the heat. We're being held  
9 accountable. Now, there's a big thing on now with, as  
10 far as quickly and efficiently investigating missing  
11 children, abused children. That is the proper thing to  
12 do and do it quickly. We're getting the heat. We're  
13 not getting any heat on investigating ethnic  
14 intimidation. I think we need a program on television  
15 like we have for drunk driving, like we have for  
16 investigating missing children and I address you and I  
17 tell you right now, unless we do that, unless you get  
18 the local officials, what I mean by local officials, you  
19 have to get to the board of supervisors, the  
20 organizations like the townships and boroughs, their  
21 associations, they have to be educated.

22           I bet you any money if I went to Bucks  
23 County today and took a survey of police officers of  
24 Bucks County who knew, if I asked them what the ethnic



1  
2 intimidation encompasses and what it's all about, ninety-  
3 nine percent would say I really don't understand it.  
4 If I went to the Chiefs of Police in Bucks County today  
5 and said, what's it all about and, did you go down to  
6 Temple University where we had five police agencies show  
7 up? No. I think we have to work through our local  
8 officials, our Chiefs of Police Association, we need  
9 some input from the federal and state agencies.

10           What I say is not very popular with a lot  
11 of police departments, but it's the truth. Unless we  
12 take that initiative and unless we hold Chiefs of Police  
13 responsible, this is great, train them, but it's not  
14 going to make any difference. You have to have  
15 committed people out there. Unfortunately, everybody  
16 isn't committed to it.

17           Thank you.

18           THE CHAIRPERSON: Thank you. That's  
19 certainly a very invigorating report that you've given  
20 us.

21           Any questions or comments?

22           MR. MILGRAM: I notice I have the item,  
23 I'm a Newtown Resident and I have the item here. Is  
24 this an item that belongs to you? Can I get a copy of

1  
2 this?

3 THE CHAIRPERSON: Yes.

4 It seems to me that your remarks cut to the  
5 heart of the issues that we are dealing with here in the  
6 sense that we have new legislation and the ability to  
7 integrate that legislation into the community and  
8 particularly into those elements that have to deal with  
9 it is probably a central question and it may very well  
10 be that in our summary of discussions here today this  
11 might be dealt with and maybe even highlighted.

12 MS. DeCOLLINGWOOD: As I understand it from  
13 Temple University's presentation last week, that pending  
14 legislation, mandatory training only addresses police  
15 cadets and from your presentation, I gather that you  
16 think -- we should press our legislators to write into  
17 the legislation that is pending right now that it should  
18 be mandatory for everyone?

19 MR. DUFFY: Inservice training for every  
20 police officer and every Police Chief, that's right.

21 THE CHAIRPERSON: Do you want to comment on  
22 the suggestion that was made?

23 MR. SHANAHAN: I don't have any problem  
24 with it all.



1  
2 THE CHAIRPERSON: You think if the  
3 suggestion was made to develop a stronger training with  
4 regard to these issues --

5 MR. SHANAHAN: Being as large a department  
6 as we are, we are obviously involved in a lot more  
7 training and a lot of these things are done in larger  
8 departments, but it is a problem, as he said.

9 THE CHAIRPERSON: Would this legislation  
10 have been integrated into the training programs yet, to  
11 your knowledge?

12 MR. SHANAHAN: Yes, it is.

13 MR. CUMMINGS: I'm Lieutenant Cummings from  
14 the Civil Affairs Unit. What the Captain referred to  
15 was, the training is given at the academy on a mandatory  
16 basis for all police officers in the Philadelphia Police  
17 Department. Like Chief Duffy said, I'm sure there's an  
18 amount of police officers out there who are resistant to  
19 this type of thing or this type of training, this type  
20 of process of doing police work. I'm sure that the  
21 program as put forth by the department here -- hopefully  
22 we will overcome that attitude in a very short time,  
23 whatever attitude does exist.

24 THE CHAIRPERSON: Are you familiar with the

1  
2 training program that is in place at the moment?

3 MR. CUMMINGS: We're not totally familiar  
4 with that program. If I knew the discussion was going  
5 to be on that, I would have had that information. Our  
6 basic role is scheduling people to attend these classes.

7 MR. SHANAHAN: That's the biggest function  
8 within units outside of the training academy is to get  
9 the people there. That becomes our responsibility to  
10 send people on a daily basis for different types of  
11 training from the academy and that's our responsibility  
12 to get them there.

13 THE CHAIRPERSON: In response to the  
14 question of integrating this new material, are you  
15 saying it's being integrated into the police academy  
16 program or the inservice program?

17 MR. SHANAHAN: Inservice training is the  
18 responsibility of the police academy. The recruit  
19 training and you have the inservice training.

20 MR. STOLARIK: Are officers required to  
21 attend inservice training programs?

22 MR. SHANAHAN: Yes.

23 MS. DeCOLLINGWOOD: Why do you think there  
24 is a need then to strengthen the Ethnic Intimidation Act



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by virtue of this new legislation that's pending?

MR. SHANAHAN: I'm sorry.

MS. DeCOLLINGWOOD: If it is mandatory that training on the Ethnic Intimidation --

MR. SHANAHAN: I don't know exactly how that's been integrated into the program at the academy. I'm not sure of that at this point. I can get that information for you, exactly how it was integrated.

MS. DeCOLLINGWOOD: But is it mandatory?

MR. SHANAHAN: I'm not sure how it's integrated in the academy. I will find out for you. If you can tell me who I can contact, I'll be glad to get that information.

MR. CUMMINGS: I don't understand your strengthening of the law?

MS. DeCOLLINGWOOD: There is pending legislation right now introduced by Leroy Irvis is one person -- there are two senate bills, 1436 and I don't have my notes with me, that strengthen the Ethnic Intimidation Act by -- one of the ways is by making training on the Ethnic Intimidation Act and a set of procedures and so on, making it mandatory but it states only to police cadets. I read your statement to say

1  
2 that it already is being done and that it is mandatory  
3 and my question is, why have they had to have  
4 legislation.

5 MR. SHANAHAN: I'm sorry, inservice  
6 training on a particular level is in force in the  
7 Philadelphia Police Department. Exactly how the Ethnic  
8 Intimidation Law is in that program, I don't know.

9 THE AUDIENCE: Under Act 120, four hundred  
10 and eighty hours are mandated by legislation and there  
11 are certain areas that are given in those four hundred  
12 and eighty hours. Under Act 120 they include what  
13 topics are to be given and how many hours to be given in  
14 that four hundred and eighty hours.

15 THE CHAIRPERSON: Your name, sir?

16 MR. BERRY: Sergeant John Berry, Upper  
17 Darby Police Department.

18 MR. TYLER: When we're talking about large  
19 metropolitan police departments such as Erie,  
20 Philadelphia, that have training academies, but it's an  
21 entirely different situation in our smaller suburban  
22 police departments. When we're talking about inservice  
23 training, be it in firearms training, let alone ethnic  
24 intimidation, we have a scheduling problem. What we're



1  
2 looking at is how we can have regional without a big  
3 fanfare, set up regional training, for instance, with  
4 those police departments in Delaware County or in Bucks  
5 County and not necessarily wait for this legislation to  
6 get passed. There's another set of legislation that you  
7 may not know about, let me refer to the Judiciary  
8 Committee on May 14th that has to deal with spray  
9 painting vandalism that may also go down into the person  
10 that sold the spray can that was used in that, so we do  
11 have copies of that, so there's a lot of legislation  
12 that's being drawn up as we get into other kinds of  
13 experience here in the Commonwealth of Pennsylvania.

14 THE CHAIRPERSON: We seem to have drifted  
15 into the portion of the program that calls for audience  
16 discussion or participation. We've been here a long day  
17 and I think the amount of information we're getting is  
18 beginning to saturate us a little bit too.

19 Is there any discussion that either our  
20 Committee or the Panel that is with us now or the  
21 audience that is left here would like to share with us  
22 before we conclude these hearings?

23 MR. MILGRAM: I'd like to share it with  
24 you, but there isn't time. If the Police Chief from

1  
2 Newtown is driving back, I'd like to share it with him.

3 MR. DUFFY: I hope that this Ethnic  
4 Intimidation Act is not like a lot of things that I've  
5 seen that gets a lot of mileage publicity wise and the  
6 police departments get a lot of mileage out of it. Are  
7 we going to forget about it? Are we going to proceed  
8 with this and hold police departments accountable for  
9 its enforcement and we have to hold elected officials  
10 accountable too. There's so many little municipalities  
11 in Pennsylvania and I think it's important to get to  
12 elected officials. It's their responsibility if the  
13 police department is not doing it. I guarantee you  
14 there's not too many elected officials that know about  
15 this Act and know that they're responsible for the  
16 police departments actions. I think we have to get to  
17 them.

18 THE CHAIRPERSON: Yes?

19 THE AUDIENCE: In reference to the police  
20 department; in Philadelphia I'm very glad to hear, so  
21 that it won't be looked upon as beating up on the  
22 policemen, but I'm glad to hear from the ranks of the  
23 police department in spite of where it is, that there  
24 are problems within the police department. The various



1  
2 ethnic communities that surround the five county areas  
3 have problems with the police department in reference to  
4 ethnics for the simple reason that there are segments of  
5 the police department made up of particular ethnics  
6 that beat up, I mean verbally, on people in reference to  
7 doing their job. One of the most common slurs in the  
8 Philadelphia community that lies in the black community  
9 is the fact that when a person is arrested, regardless  
10 of what it is, a ticket, whatever, oftentimes a white  
11 male police will say and I quote and I have it  
12 documented, "You niggers go get yourself a Jew lawyer  
13 and try to get out of this." That is a common verbiage  
14 in reference to and the other one, somebody mentioned  
15 the gangs in the jails. That's very prevalent.

16           The other thing is that the institution  
17 that set the standards by which we live in this nation  
18 and set the values seem all of a sudden to embrace  
19 certain kinds of feelings and belief that spur and  
20 motivate entrenched feelings in reference to different  
21 races and different sexes to come out in the open  
22 because they feel protected which means that the  
23 intimidation in reference to blacks and Jewish people in  
24 certain areas, I live in Montgomery County and Abington

1  
2 was at a peak and severed off and now it's beginning  
3 again. The children are having little spurts in the  
4 classrooms. There are six hundred and forty-three  
5 thousand people in Montgomery County and there are  
6 thirty-three thousand blacks which means that we're a  
7 very numerical minority and there are certain instances  
8 when there are conflicts with police in reference to  
9 what's supposedly vandalism, the problem that has been  
10 investigated and found is the manner in which the  
11 circumstances has been reported which means that the  
12 police report is given to one of the related service  
13 agencies and from that information is how they proceed  
14 in doing their investigation. Now, if it's vandalism,  
15 then it is treated as vandalism. Yet, it could be  
16 almost a situation where somebody was almost killed, but  
17 it's still considered vandalism.

18 Now, the Intimidation Act is not very well  
19 known throughout the police departments, period. As a  
20 result of that there are statements like the gentleman  
21 made, Mr. Duffy, in reference to the Chief of Police,  
22 that's not that important. We have a very serious  
23 problem in Norristown Borough, the largest borough in  
24 the world, the Norristown Police Borough. You get the



1  
2 band on the radio and listen to police calls and the  
3 first thing you hear on Saturday is, let's go get us  
4 some niggers. This is a very common situation. It can  
5 be documented. We had to approach the Chief of Borough  
6 Council, the Chief of Police in Norristown and the  
7 supervisor and they save face by doing it on a  
8 negotiation basis and they don't win, the three  
9 practicing lawyers out of the whole Bar Association in  
10 Montgomery County, they don't win no cases for the  
11 blacks. Graterford Prison, we are three percent of the  
12 county, but Graterford Prison is sixty-five percent  
13 black.

14           The institutions embrace these things and  
15 have poeple come out and surface their feelings and they  
16 feel protected and the police department contributes to  
17 that and as a person that has a volume of it in the last  
18 three years, the average NAACP branches have had an  
19 overwhelming volume of racial discrimination on the job,  
20 police and violence with the children, one among the  
21 other.

22           MR. MILGRAM: Would the speaker give her  
23 name, please?

24           MS. WARNER: My name is Evelyn Warner,

1  
2 president of the Ambler Branch of Montgomery County,  
3 Pennsylvania, NAACP and I've been president for twelve  
4 years. We have done some very extensive research in  
5 Montgomery County. Delaware County is the worse county  
6 in the area for --

7 THE CHAIRPERSON: You're making a lot of  
8 serious charges and I would like to see you put them  
9 together in some kind of documentation.

10 MS. WARNER: The institutions embrace the  
11 kinds of things that happen, so that people are allowed  
12 to surface their feelings.

13 THE CHAIRPERSON: It would be helpful to us  
14 in our hearing here to have a more detailed and more  
15 specific statement of the kinds of experiences that  
16 you're referring to.

17 MS. WARNER: We've had some experiences in  
18 Montgomery County where blacks have moved into white  
19 communities and we begged them to report it and the fear  
20 of it is, in two particular cases, there were two women  
21 head of the household that was fearful of reporting it  
22 for fear of continued harassment due to the fact that  
23 one was a Philadelphia schoolteacher that had to leave  
24 her child for a couple hours between the child coming



1  
2 home from school and she coming home from work, so she  
3 wouldn't report it. She started to go to the Human  
4 Relations and she was afraid to go.

5 THE CHAIRPERSON: Let me just hold you  
6 there. This is not our ability to function in this  
7 arena as you know, but there are representatives here of  
8 the Pennsylvania Human Relations Commission.

9 MS. WARNER: I'm on the council.

10 MS. MILLER: My name is Robin Miller and  
11 I'm an independent training consultant in human  
12 relations. Forgive me if I don't contribute to you  
13 right now, but I'm trying to pull my thoughts together.  
14 One, I want to, perhaps, not necessarily on behalf of  
15 the police department, but I do want to acknowledge the  
16 fact that the police are -- call us products or victims  
17 of the same socialization processes. We've all received  
18 the same misinformation that those -- this is -- Captain  
19 Shanahan mentioned something about attitudes are  
20 developed at home around the dinner table, but I don't  
21 think they're just developed at home. I would hesitate  
22 to blame our parents for giving us those kinds of  
23 attitudes, but they're cultural and institutional.  
24 Eight hours in police training to contradict a lifetime

1  
2 of misinformation over and above the four hundred and  
3 eighty hours, we're really asking an impossible task in  
4 terms of building sensitivity and the ability to  
5 recognize when an act is of ethnic intimidation and  
6 especially when it doesn't come via violence.

7           I was listening to the report by the A.D.L.  
8 representative earlier and he spoke about posters that  
9 the A.D.L. puts out showing black heroes, saying that  
10 bigotry is foul play and nonetheless the black heroes,  
11 the black sports heroes and I have to question when the  
12 blacks that are portrayed are exactly those that are  
13 only the ones -- blacks are allowed to make it in  
14 sports. That sort of -- how far does our sensitivity go  
15 in recognizing the depth of the misinformation that we  
16 have received. Also as a trainer, I've trained groups  
17 that are voluntarily there and those that are mandated  
18 there and the difference is incredible in terms of my  
19 job and how I join the population that I'm working with,  
20 so being that this is the second day I've sat through a  
21 conference that deals with these kinds of issues and the  
22 Act itself, the Act, I'm glad that the Act is here.  
23 It's an insertion of public policy saying this must be  
24 and the dispersion of that Act as public policy is sort



1  
2 of -- you would think it would already be information  
3 that we all had, that of course we should not hurt the  
4 people who are around us, but, again, so there's a  
5 public policy saying we really shouldn't and if you do,  
6 we're going to punish you and I was listening to Evelyn  
7 earlier and she was saying that the police have to be  
8 trained and all of a sudden I see us concentrating on  
9 police training as the source of where the cure is going  
10 to come from and I really want to just say, I'm not so  
11 sure that the police being trained is the source of the  
12 cure and I'm not so sure that having a conference or  
13 producing a document is the cure either.

14           Again, I wasn't sure that I was going to  
15 contribute to the cure myself, but I was really tired of  
16 having these thoughts in my own head. Thank you.

17           MR. SELLERS: First of all, let me publicly  
18 say that the Chief of Police Martin Duffy, I've been  
19 reading about him and I'm just honored that I've been in  
20 his midst today and I want him to know that.

21           The next thing, what I am also concerned  
22 about, Mr. Chairman, number one, let us not play games  
23 at this conference. All of us have our prejudice, all of  
24 us have our prejudice. I think Chief of Police Duffy

1  
2 came up with one of the best recommendations I've heard  
3 today. If there is a violation of the law, once we get  
4 the perpetrators, I think it's time that we stop playing  
5 games and put them in jail or fine them. Now, from all  
6 the things I've heard today, I think that recommendation  
7 or the manner in which he handled his situation out  
8 there in Bucks County is one of the best I've heard  
9 today.

10           The next thing, as it relates to the police  
11 department, I would certainly like to say that there are  
12 times when the police department is expected, perhaps,  
13 to just do just too many things that they can't do.  
14 Keep in mind that they too -- when they created the  
15 Civil Affairs Unit, I just happened to be among those  
16 individuals under the late Cecil B. Moore when that  
17 Unit was created and the Civil -- well, they called it  
18 the Civil Disobedience Squad in those days under  
19 Inspector Benson and I must admit of all the things that  
20 the city did in the police department to create that  
21 Unit, did keep away a lot of the frustration and anxiety  
22 among those of us who were protesting and those of us  
23 who were being protested against.

24           Those are my two comments I would like to



1  
2 say and again, I think these meetings are most  
3 important, but I would like to recommend to the  
4 Commission, I'm convinced that a lot of times when we  
5 have these meetings and these hearings, we are saying it  
6 to the people who really know what some of the problems  
7 are and a lot of times the people who should know about  
8 it, they won't be here, because the daytime is not the  
9 right time when it comes down to things as serious as  
10 racial intimidation, et cetera. So, if there's any way  
11 possible that, maybe we need to think in terms of  
12 having the same philosophy of the NAACP, have hearings  
13 or anything else at a time when the people who would  
14 like to participate and perhaps can contribute can be  
15 there, so that's -- I know you're tired. I just left a  
16 federal job and everything else to get ready to go to  
17 Dallas, Texas next week, but I believe this is a mistake  
18 we're making. There's people that need to be here.

19 THE CHAIRPERSON: I think we ought to begin  
20 to wrap this up. I will recognize you only if you have  
21 important vital comment to make, please.

22 THE AUDIENCE: The vital part of my comment  
23 is that it will be brief. My name is Marshal Murray,  
24 president of the Bucks County NAACP and when I saw the

1  
2 name Duffy and Newtown, well, my ears perked up a bit.  
3 We had a case in, I guess Hallam is right near Newtown.  
4 As a result of his speech which was a very progressive  
5 speech, the question came to my mind, that's what I'm  
6 leading to, this question, his speech was very  
7 progressive and the kind of thinking that we feel will  
8 help, but the question came to my mind, what does a  
9 police officer do or how does he handle a situation  
10 where his thoughts and his methods of operation are not  
11 in accord with the community? How does he reconcile  
12 that?

13 THE CHAIRPERSON: I'm going to rule that  
14 this is a broader issue and, you know, our own inquiry  
15 here today is more limited with regard to the ethnic  
16 harassment and intimidation and I think you're raising a  
17 broader question.

18 MR. MURRAY: Suppose we limit it to ethnic  
19 intimidation? How does he handle it when his views on  
20 ethnic intimidation do not coincide with the views of  
21 the community from which he comes, any officer, how do  
22 you handle it?

23 MR. DUFFY: If he can't handle it, he  
24 shouldn't be there.



1  
2 MR. MURRAY: If an officer is in a very  
3 prejudiced community and his views are of such that the  
4 minority should receive the proper protection but the  
5 community itself is not sensitized as he has been to  
6 the proper method of dealing with them, so what happens?  
7 He loses his job; doesn't he?

8 MR. DUFFY: I'm afraid I have to admit that  
9 what the gentleman says is right. I can't give you --  
10 there are communities that probably would frown upon an  
11 officer doing the proper thing. They're out there.  
12 Let's face it, they're out there and what the gentleman  
13 said is right, he could lose his job.

14 MS. WARNER: That's ethnic intimidation.

15 MR. DUFFY: That's right.

16 MR. BRATSIK: Lieutenant Nick Bratsik,  
17 Upper Darby Police. I'm afraid I would have to disagree.  
18 He would probably be ostracized by his Chief, but  
19 wouldn't lose his job. This type of thing wouldn't be  
20 able to go on with his Chief condoning it and most  
21 probably the people that he works with, but to imply  
22 that he would be fired, no, he wouldn't be fired. He  
23 couldn't be fired.

24 MS. WARNER: Last year a black man

1  
2 attempted in the State Police, the man committed  
3 suicide. They had trumped up cases against the man and  
4 in the State Police of Pennsylvania and the brother  
5 ended up killing himself. That certainly was ethnic  
6 intimidation.

7 THE CHAIRPERSON: Is this absolutely vital  
8 and necessary?

9 MR. GRATMAN: Our Commission has handled  
10 several of those cases and those cases will be turned  
11 over to Tino if he's interested and to add to that,  
12 we've had a recent incident of a black family almost  
13 being firebombed because the perpetrators were drunk and  
14 under drugs and firebombed the white family that lived  
15 next door and were recently sent to prison. We have a  
16 community in Abington that had their cars spray painted  
17 and public property spray painted with swastikas. This  
18 is what's going on right now in one particular  
19 community.

20 MS. WARNER: That's right. The police  
21 don't necessarily encourage it, but they stand by and  
22 watch it.

23 THE CHAIRPERSON: Ladies and gentlemen,  
24 it's been a very long day. Thank you, gentlemen, for



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coming before us and we will be taking this material,  
examining it, organizing it and making some  
recommendations with regard to what we've heard today.

Thank you very much.

(Presentations concluded.)

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I HEREBY CERTIFY that the proceedings and evidence are contained fully and accurately in the stenographic notes taken by me upon the foregoing matter on Thursday, June 20, 1985, and that this is a correct transcript of same.



.....  
Dennis Corsi  
Registered Professional  
Reporter

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