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HOUSE OF REPRESENTATIVES  
COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF JUSTICE  
Commonwealth of Pennsylvania  
Harrisburg, Pennsylvania


October 3, 1974

The Honorable Kenneth B. Lee  
Speaker  
House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg, Pennsylvania

Dear Mr. Speaker:

Attached is a report entitled "The King of Prussia Wiretapping," together with conclusions and recommendations unanimously approved by the Committee to Investigate the Administration of Justice under House Resolution No. 21.

Respectfully submitted,

  
H. JOSEPH HEPFORD  
Chairman

HJH:rf  
attachment

## THE KING OF PRUSSIA WIRETAPPING

Since the inception of the Committee to Investigate the Administration of Justice, hearings have been held and testimony received which brought to light rather startling and shocking actions on the part of certain high officials of the State in the so-called King of Prussia wiretapping incident. The following will briefly review some of the testimony that has been received.

An investigative task force of the Pennsylvania Crime Commission had set up headquarters in a number of rooms at the George Washington Motor Lodge, King of Prussia, Pennsylvania. A considerable number of the personnel on loan to the Crime Commission were members of the Pennsylvania State Police. They will be referred to hereafter as members of the Pennsylvania Crime Commission. Members of the Pennsylvania State Police, independent of the Crime Commission, on several dates occupied rooms at the same motor lodge.

Sergeant Matthew E. Hunt, Pennsylvania Crime Commission, stated that in the late afternoon of November 27, 1972, a man had been observed in the crawl space above Room 175 of the motor lodge. Hunt went to Room 175, ascended into the crawl space and found some foreign attachments on the wires in that area. Although he was not an expert, there was no question in his mind that the foreign attachments were wiretaps. The wires had been tampered with and it looked like there were extra wires long enough to be dropped into Room 175. It appeared to Hunt that the foreign wires



were attached to wires that led to Rooms 207 and 208, which were part of the group of rooms occupied by members of the Pennsylvania Crime Commission and also used for office space.

Mr. Robert S. Dracup, Security Agent, Bell Telephone Company, was called to the George Washington Motor Lodge on the afternoon of November 28, 1972 by Mr. Joseph Monahan, the manager. Monahan told him they suspected a wiretap and for that reason wanted a telephone company representative there. Dracup examined the wiring in the crawl space over Rooms 175 and 181, and in the space above Room 181, he saw several foreign attachments. Dracup said the foreign wire was capable of transmitting voices, communications, messages and sounds traveling over the telephone wire.

Colonel Rocco P. Urella, Commissioner and highest ranking officer of the Pennsylvania State Police, received a telephone message to "call out the line." This meant to him that the call was from his business partner in the Sentinel Motel, Chester County, Mrs. Marion Gobrecht, and that he should call her as soon as possible. When he talked to her on the phone, she told him that she had received a letter threatening to firebomb the motel. Urella told Mrs. Gobrecht that he would see her that afternoon as he had an appointment to meet Lieutenant Weimer that same afternoon near there.

Colonel Urella stated there was another call received by someone he did not recall. This call was from Nick Pratko requesting that someone pick up the Buick

so their cover wouldn't be blown. "Nick Pratko" is a code name for the Internal Security Unit and the call could have been from one of three people. As a result of this message, he asked Lieutenant Stephen Luchansky to come with him to pick up the Buick. The car was parked at the George Washington Motor Lodge right off the expressway at King of Prussia, Pennsylvania.

Colonel Urella and Luchansky, with Lieutenant McCann driving, left Harrisburg at 1:11 P.M. on November 28, 1972 and arrived at Downingtown at 1:57 P.M., 46 minutes later. Lieutenant Luchansky stated they sped down the highway. Enroute to Downingtown, Colonel Urella told him that some fellow "blew his cover" and he, Luchansky, was to pick up a car at the George Washington Motor Lodge. Nick Pratko was the name of the individual whose car he was to pick up and "Nick Pratko" was Metro Kardash, a member of the Commissioner's Internal Security Unit of the State Police.

Colonel Urella testified that while in the Downingtown-Chester area on November 28, 1972, he received a call, he believed while he was in his automobile, that he was to see Governor Shapp at the Governor's Mansion that evening - - - he believed between 6:30 P.M. and 7:30 P.M. Attorney General J. Shane Creamer was at the meeting called by the Governor, and the problem of the wiretap at the George Washington Motor Lodge was discussed.

Colonel Urella believed that it was on December 5 that the Governor asked him to have Luchansky, Kardash and Guyette, another State Policeman, brought in,

saying, "Rocco, you better get these men in and get a statement from them."

Luchansky and Kardash went to Urella's home as requested. (Guyette was in the hospital.) They sat in his home and prepared a statement which Urella later that night delivered to the Governor.

The men objected because they had an attorney and he told them not to talk to Urella. Urella said, "Look, I am ordering you to give me a statement (concerning your activity in the wiretap). The Governor wants this statement. I am ordering you to give me a statement concerning your activity."

The reason for the statement according to Urella was that the Governor wanted an explanation as to their activities after he had learned from the Crime Commission investigators and the Attorney General that Lieutenant Luchansky was seen in the loft and that Guyette and others were seen down in the motel area. They were ready to prepare warrants and have them carried out. Urella told the men that the Attorney General and the Governor had said that if they would give statements as to their activities, there would be no prosecution, the Crime Commission investigation would cease immediately, but they would be court martialed and dismissed. Urella said that originally the Attorney General made the agreement that there would be no prosecution in Montgomery County.

Urella had conferred with Attorney General Creamer over the telephone before and while these two men were in Urella's dining room. His recollection of the

conversation was that there would be no prosecution, the Crime Commission investigation would cease immediately, there would be a court martial and dismissal, and as to the District Attorney's Office in Montgomery County where the King of Prussia incident occurred, the Attorney General said that in such matters the District Attorney usually followed the Attorney General's recommendation.

Asked how this arrangement got started, Colonel Urella stated that he thought he made an inquiry as to why they were in such a hurry to prosecute. He commented, "These men have families. Guyette is now in the hospital in intensive care following a heart attack, and I am deeply concerned about proceeding so fast." He wondered if these men could be dealt with on a more humane basis than "Let's arrest these people." Urella felt strongly that the situation was very precarious for Lieutenant Luchansky who he said was "entirely innocent." Compassion had compelled him to ask the Governor if these proceedings could not be delayed. He believed there was some conversation between the Governor and the Attorney General, and information was passed to Urella that if these men came in and gave their statements, they would be given these considerations.

Urella said that the statement of Kardash and Luchansky was delivered to the Governor at the mansion sometime between 12:45 A.M. and 1:30 A.M. on December 6, 1972. He delivered it without having read it. The Governor, after reading the statement, commented that it was "full of holes." Urella told the Governor that he

had not read it, that it was late at night, and that the Attorney General had called his home several times wanting to know when they were going to be at his office in Harrisburg. It was a real rush affair. Urella asked the Governor what the holes were. The Governor started talking about Luchansky and the George Washington Motor Lodge wiretap. Urella told the Governor that Luchansky wasn't there, to which the Governor said, "Rocco, don't tell me that. We have sworn affidavits from eyewitnesses that he was there."

Urella said the Governor thought the statement was deficient because it didn't mention a lot of electronic equipment which, according to information passed on to the Governor, was found at the site of the alleged wiretap. The Governor also talked about the time element. From his information, the State Police were in the motel earlier and asked for a certain room, but didn't explain in the statement why they wanted that certain room. Urella told the Governor he had not read the statement.

There was further conversation making it plain that the Governor had different versions of the activities of the participants and did not agree with the arguments and account advanced by Urella. No changes were made and at that late hour Urella and his men proceeded to the office of the Attorney General.

J. Shane Creamer, former Attorney General, stated that shortly after the incident at the King of Prussia motel, he became aware that some State Police officers

reporting to Urella, he believed Lieutenant McCann and Lt. Colonel Graci, started an investigation for the State Police. According to information received by Creamer, they were threatening witnesses at the motel who had previously given testimony and other evidence concerning the events there.

Creamer complained to the Governor that the witnesses were being intimidated and requested that he and the Pennsylvania Crime Commission continue the investigation. He did not receive an immediate response from the Governor; however, he noted that very shortly thereafter the State Police stopped any further inquiries.

Creamer testified that during early December while evidence was coming in on the King of Prussia matter, they were trying to determine exactly what they could do to get information from one of the officers involved as to what had happened. Creamer didn't know if the proposal came from him or from Urella, but his conditions were that if the officers came in, testified fully, completely and honestly under oath, that he, as Attorney General, would not prosecute them for the incident. Creamer stated that all of the facts were not in, but it looked like an installation for listening devices, and he would not prosecute for that crime in exchange for their cooperation in the attempt to find out why they were sent down there, and who ordered them to put the taps in.

Creamer said that earlier in the evening of December 6, he received information from the Governor or his office that it looked like some of the troopers would come in

and testify on the basis that they would be court martialled, but not prosecuted.

After 8:00 P.M., he received word from the Governor's office that they were still planning to come.

When Colonel Urella and the troopers arrived at his office in Harrisburg, Urella gave Creamer three pages and said, "This is what they are going to be saying." Creamer told Colonel Urella, in the presence of the troopers, that if they testified fully and truthfully, then, despite the court martial, "I will guarantee you that I will not press for prosecution for their crime, if they had one. I can't vouch for the federal authorities and I can't tell you what Montgomery County is going to do because I have no power with regard to the federal prosecutor or no power with regard to Montgomery."

Creamer said the meeting was concluded after Luchansky and Kardash said they wanted to contact their lawyers and, if possible, testify the next day sometime after noon. For various reasons, the State Police officers never appeared.

Creamer pressed the issue by sending a letter to Commissioner Urella, dated December 14, 1972, referring to his letter of November 30, 1972, in which he had requested that Urella furnish his own written explanation of all of the facts "as you know them surrounding the illegal wiretapping that occurred at the George Washington Motor Lodge." This letter stated that, as of December 14, he had received no reply and that he was concerned over the delay. Because of the importance of the matter,

it was also requested that Urella's statement be under oath and notarized. The Attorney General stated he never received a reply from Urella to his December 14, 1972 request.

Creamer continued to press Urella for information and cooperation by forwarding letters through December 19, 1972. On December 21, 1972, a prosecutive summary of the investigation was turned over to the Montgomery County prosecutor. On December 29, 1972, Creamer was invited to breakfast at the Governor's Mansion, at which time he gave the Governor the facts he had in regard to the King of Prussia incident. The Governor indicated he felt it would be best if both Urella and Creamer resigned. Thereupon, Creamer submitted his resignation to the Governor and Commissioner Urella was removed from office.

When Urella was recalled before the Committee in May, 1973 for questioning, his attorney advised that Urella would assert his Fifth Amendment privilege as to any questions concerning the King of Prussia affair. When he did appear, Urella's answers were sought in other areas as well, but Urella invoked his constitutional privilege to refuse to answer and it was soon apparent that further questioning would be useless.

According to a newspaper article appearing in the Harrisburg PATRIOT on September 12, 1973, Attorney General Israel Packel said the State had abandoned efforts to prosecute former State Police Commissioner Rocco P. Urella and six others in a wiretap case. Packel said dismissal of the State's case by a Montgomery County judge and a review of the matter prompted the decision. He said further prosecution



efforts probably would fail, that "We are all in agreement that the probability of success at this stage, in view of the dismissal by District Justice George Zeigler and the determination of President Judge Groshens, is so slight that we should devote our energies to other priorities."

## CONCLUSIONS

From the foregoing, a conclusion can be drawn that an incident occurred at the George Washington Motor Lodge, King of Prussia, Pennsylvania, on November 27 and 28, 1972, wherein Pennsylvania State Police were occupying a room in the motor lodge and that a large supply of electrical wiring was found in the crawl space above the room occupied by the Pennsylvania State Police which appeared to have been connected with electrical wiring leading to other rooms in the motel utilized as offices by other State Policemen who were on loan to the Pennsylvania Crime Commission.

The Commissioner of the Pennsylvania State Police, Rocco P. Urella, upon receiving two different telephone calls—one from his business partner at the Sentinel Motel and the other from one of his Internal Security group using the name Nick Pratkano—left Harrisburg and travelled at a high rate of speed to the Downingtown exit of the Pennsylvania Turnpike where one of his Internal Security group left him and went to the George Washington Motor Lodge to pick up a State Police car that had been left at the lodge.

It appears that the Commissioner was vitally interested in this matter, yet claimed no knowledge of his men being involved in the wiretapping incident. Despite the allegations that were made immediately following this incident, no steps were taken by the then Commissioner to check into the matter, although it is noted that J. Shane Creamer,

then Attorney General and Chairman of the Pennsylvania Crime Commission, attempted, through the Governor, to stop the State Police from conducting any investigation in order that the Pennsylvania Crime Commission, under direction of Creamer, could conduct this entire investigation without interference by the Pennsylvania State Police.

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The Governor of the State, on November 28, 1972, called for a meeting at his residence with the Attorney General and the Commissioner of the Pennsylvania State Police at which time the King of Prussia incident was discussed.

Again, on December 5, 1972, according to Commissioner Urella, the Governor requested that he get the men who were involved in the King of Prussia incident in and sign statements so that the matter could be cleared up.

Urella called two of the men (the third man was hospitalized) to his home in Ardmore, Pennsylvania, told them to prepare statements, denies that he read the statements, and drove with the men to the Governor's Mansion where the statements were delivered at approximately 12:30 a.m. to 1:30 a.m. on December 6.

The Attorney General of the State called Urella's home several times during the evening of December 5, inquiring as to when the statements were going to be delivered. During the early morning hours of December 6, Urella did take Lt. Stephen Luchansky and Corporal Metro Kardash to the Attorney General's office where they were both advised that if they furnished full details concerning the incident at King of Prussia,

they would not be prosecuted by the Attorney General, but would be court martialed and dismissed from the service. They were told by the Attorney General that he could not vouch for what action the federal authorities or the Montgomery County District Attorney's Office would take.

The King of Prussia incident, involving what is believed to have been an attempted wiretapping, seems to have been one in which the State Police Commissioner had full knowledge; the Governor of the State had sufficient knowledge to know that there was something unusual going on, and did have conferences at his residence on two different occasions, one being at one o'clock in the morning; and the Attorney General must have felt it a most unusual situation to require him to have a meeting with two possible suspects at his office as late as 1:30 or 2:00 in the morning.

The failure to obtain a successful prosecution of former State Police Commissioner Rocco P. Urella and six others charged in connection with the alleged wiretapping of the Pennsylvania Crime Commission phones spotlights a glaring deficiency in the administration of justice. Interest in this wiretapping incident on the part of former Attorney General Creamer and Governor Shapp, the press and public, and now the Assembly, has created a cause celebre. In turn, the cause celebre has been characterized by confusion, contumacious conduct, contempt and continuing coverup by those involved.

It will be recalled that the Committee in its Progress Report severely criticized and assessed much of the blame for the King of Prussia fiasco upon the ill-advised practice of utilizing Pennsylvania State Police as investigators for the Pennsylvania Crime Commission. The resulting position in which the employees found themselves of being compelled to report to two masters, undoubtedly, was a major contributing factor in the debacle. The Committee was pleased to note that shortly after having made the observation, the practice of using Pennsylvania State Police as Crime Commission agents was discontinued.

More importantly, however, has been the conclusion that the disciplinary procedures currently employed by the Pennsylvania State Police, where offending employees are tried in an archaic and unrealistic court martial system, must be modernized to accomplish the necessary discipline for a successful administration. In a later section of this report, a major revamping and restructuring of the Pennsylvania State Police is being recommended and this would encompass consideration for the eradication of the court martial system.

## PENNSYLVANIA STATE POLICE

### RECOMMENDATIONS

In the Progress Report issued by the Committee in 1973, it was pointed out that questions had been encountered as to the effectiveness and efficiency of the Pennsylvania State Police. There were challenges to the organizational and operational format in light of current law enforcement trends. These questions, quoted from that report, included:

1. The Committee will continue its investigations into the areas reviewed herein. Inspection of the work and functions of the Pennsylvania State Police and the Pennsylvania Crime Commission is clearly in order in view of the evidence encountered from the outset of sharp conflicts and abrasive relations between the two agencies.
2. The Committee will seek to determine, through hearings, the efficacy of the legislation that established the Pennsylvania Crime Commission; whether or not the Attorney General should be the Chairman; whether or not the Commission—as currently constituted and operated—is discharging the functions for which it was created; and whether the expense is warranted when compared with results. Also, to determine whether or not the administrators are qualified, and whether the future program and past performance satisfy the requirements and concept intended by the Assembly.
3. The Committee will continue to concern itself with the effectiveness and efficiency of the State Police force. Questions have been raised as to:
  - (a) The advisability of restructuring the agency into separate organizations, with one entity directing its attention to traffic and vehicle control, and the other into a statewide bureau of investigation for criminal matters.

- (b) Whether or not a civilian administrator should head the force; whether or not the Commissioner should be a gubernatorial appointment or selected by other procedures.
- (c) Whether the present disciplinary procedures are not, in fact, incongruous and that courts martial are inappropriate in a basically civil service agency.
- (d) Whether conviction for the commission of a felony ought not to invoke forfeiture of a police officer's pension benefits.

During the ensuing year, the Committee has been mindful of these questions during its hearings, investigations, deliberations, and discussions with knowledgeable witnesses and with members of the House.

Throughout the year, the Committee has observed a series of imbrolios surrounding the ineffectual attempts by the Pennsylvania State Police to maintain order within the ranks through courts martial proceedings. When reviewed by the courts, these paramilitary disciplinary exercises invariably proved instead to be futility exercises. Impractical and archaic procedural relics of the era of the horse must be eliminated or drastically revised and updated to conform with the jet age concepts of civil rights and administrative and judicial disciplinary procedures. We conclude that the time is now for decision and implementation of ideas advanced to us to modernize and to keep pace with crime's ever changing pattern.

The Committee perceives merit in the format and precedent adopted in a number of states believed to have effective and efficient law enforcement systems.

In these states, the equivalent of our Pennsylvania State Police is basically a highway patrol and traffic law enforcement agency. The investigation of all other crimes of the type now within the jurisdiction of the Pennsylvania State Police is the responsibility of a state bureau of investigation. These bureaus of investigation have been conceived to operate a small select group of highly trained investigators capable of dealing with major crimes, complex or sophisticated schemes and, in general, the personnel are skilled and accomplished in solving cases, recognizing and preserving admissible evidence, and contributing to the preparation of the best possible case for the prosecutor. In short, state level F.B.I.'s.

In Pennsylvania, a state bureau of investigation would be ideally suited to obtain intelligence as to the activities of organized criminals operating within our State. That intelligence function is now mandated to the Pennsylvania Crime Commission as its primary reason for existence. The intelligence function might very well be transferred to a Commonwealth Bureau of Investigation (C.B.I.); and the Pennsylvania Crime Commission, with its substantial appropriation, eliminated. In our prior report, we have expressed concern about the operational activities of the Pennsylvania Crime Commission. After more than a year of observation of the Pennsylvania Crime Commission program, administration, and reports of activities, we seriously doubt that this agency is indispensable.



Accordingly, we are recommending the immediate adoption of legislation to accomplish the creation of a Commonwealth Bureau of Investigation, following the format set forth above, and to permit the Pennsylvania State Police to return to and to concentrate on the primary duty of patrolling the highways and enforcing the traffic laws.

61-02-006

CHAIRMAN

H. Joseph Hepford

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HOUSE OF REPRESENTATIVES  
COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF JUSTICE  
Commonwealth of Pennsylvania  
Harrisburg, Pennsylvania

November 27, 1974

The Honorable Kenneth B. Lee  
Speaker  
House of Representatives  
Commonwealth of Pennsylvania  
Harrisburg, Pennsylvania

Dear Mr. Speaker:

Attached hereto is the final report of the Committee to Investigate the Administration of Justice pursuant to House Resolution No. 21.

Previously submitted was a Progress Report of September, 1973. During 1974, there were submitted reports entitled "The King of Prussia Wiretapping," "Harry E. Kapleau Wiretapping Incident," "Lieutenant Angelo Carcaci," and "Pennsylvania Crime Commission." These reports, along with sections entitled "Solicitation of Money from the Public by Police Officers and Related Organizations," "Police Practice of Recording Complaint Calls," and "Governor's Justice Commission," have been included in this final report, together with the conclusions and recommendations unanimously approved by the Committee.

Respectfully,

A handwritten signature in cursive script that reads "H. Joseph Hepford".

H. JOSEPH HEPFORD  
Chairman

HJH:rf  
attachment

**CHAIRMAN**

H. Joseph Hepford

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HOUSE OF REPRESENTATIVES  
COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF JUSTICE  
Commonwealth of Pennsylvania  
Harrisburg, Pennsylvania

October 10, 1974

Editor

THE PATRIOT

Ninth and Market Streets  
Harrisburg, Pennsylvania

Dear Sir:

As Chairman of the Special House Committee to Investigate the Administration of Justice, I would like to express my thanks to those several citizens whose views were printed in the Sunday PATRIOT NEWS (October 6) concerning the question on the "Investigative Role of State Police: Should It Stop?" The opinions of all citizens are valued, but perhaps a clarification of the Committee's recommendation would be in order.

The Committee, through its hearings, has concerned itself with the effectiveness and efficiency of law enforcement. Questions have been raised as to the advisability of restructuring the State Police into separate organizations, with one entity directing its attention to traffic and vehicle control, and the other into a statewide bureau of investigation for criminal matters.

The Committee perceives merit in the format and precedent adopted in a number of states believed to have effective and efficient law enforcement systems. In these states, the equivalent of our Pennsylvania State Police is basically a highway patrol and traffic law enforcement agency. The investigation of all other crimes of the type now within the jurisdiction of the Pennsylvania State Police is the responsibility of a state bureau of investigation.

In Pennsylvania, a state bureau of investigation would be ideally suited to obtain intelligence as to the activities of organized criminals operating within our state. That intelligence function is now mandated to the Pennsylvania Crime Commission as its primary reason for existence. The intelligence function might very well be transferred to a Commonwealth Bureau of Investigation, similar to the FBI; and the Pennsylvania Crime Commission, with its substantial appropriation, eliminated.

Editor - 2  
October 10, 1974

Present State Police personnel, trained and capable of dealing with major crimes, could be assigned to this proposed Commonwealth Bureau of Investigation, retaining all accrued benefits and service with the State Police.

According to official records for the year 1972, it has been determined that 78% of the State Police law enforcement effort was highway-related, with the remainder expended in criminal work.

The advantages of this new organizational structure would be a less costly but efficient highway patrol geared entirely to highway-related problems, plus a separate, compact, and effective Commonwealth Bureau of Investigation. The most major area of improvement would be in the investigation and solution of crimes against the state, a better rate of apprehension of the criminals, more sophisticated preparation for the prosecutors, and a higher rate of convictions.

This recommendation has been included in the Committee's report to the House of Representatives; however, legislation has not been introduced to effect this change.

Very truly yours,

H. JOSEPH HEPFORD  
Chairman

HJH:rf