

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

MEMORANDUM

By Dale S. Thompson

Date May 9, 1974

FILE: Governor's Justice Commission

Mr. RALPH B. PINSKEY was interviewed on May 8 in the offices of Shumaker, Williams & Clark, 157 Paxton Street, Harrisburg, telephone No. 233-5530. He furnished the following information.

In 1969, he was appointed an Assistant Attorney General by the then Attorney General William Sennett. It was Mr. ZIMMERMAN, a partner of the Chairman, who recommended him for this work. He was first assigned to the State Highway Department. In June 1971, he was assigned to the Governor's Justice Commission. He continued there until about Labor Day 1973. However, beginning in February 1973, he only worked part-time. He had only planned to stay with the government about two years; however, this employment continued until February 1973 when he made a decision to go back into private practice. This was prompted by the policy of the Attorney General that lawyers working full-time for the Department of Justice could not have a private law practice on the side.

In a broad sense, he answered directly to the Attorney General, but most of his work and day-to-day contacts were at the Commission. He was not involved in the day-to-day operations, but was their legal advisor. He also advised regional councils and local governments in connection with the Commission's activities. Messrs. Rinkovich and Godfrey were Executive Directors during his tour with the Commission.

Prior to the Omnibus Crime Control and Safe Streets Act of 1968, state agencies made application to the Department of Justice for grants relating to law enforcement. There were very few rules and regulations and it turned out to be a program to see who got there first in order to get the most. A lot of politics were also involved in awards. During the debate on the present Act, there was a lot of debate on the role of states in administering the expenditure of funds. As a result, the block grant method of distributing funds from the Federal Government to the state was put into effect. Thus the state was supposed to be the prime mover and coordinator within the state. The state was to do comprehensive

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planning and it would include all of the state components, i.e., the police, courts, corrections department, etc. It was to be a multi-facet approach. Emphasis was on comprehensive planning.

However, by and large, local government did not understand and neither did it want to have comprehensive planning. This became a real problem at the Commission. Local councils came in with a proposed plan of expenditures, which was then consolidated on a statewide basis by the Commission. This then had to receive LEAA approval. Expenditures must be in accordance with the plan, otherwise a change had to be justified to and approved by LEAA. The Commission became more sophisticated in its planning and moved into the direction of better comprehensive plans; however, there were still problems because if the local agencies did not want to give priority in accordance with the statewide priorities, then it was hard to have any meaningful program.

Another problem is the need for state legislation to guide the program. As an example: Police education is a high priority of the Commission, however, the necessary substantive language to put this into effect has not yet been passed by the State Legislature. Another problem is to establish qualifications on a statewide basis for law enforcement officers. There appears to be no strong coordination among the various state agencies and departments so that the Administration can push a strong overall program. Each department or agency quite often does not want to support certain legislation which would be passed for the state.

He is generally aware of the Easton building project, but does not know the details. He thought the project was funded from Sennett funds. He said that generally brick and mortar projects were discouraged, except if they were of a high priority or for regional consolidation of services, which was a high priority goal of the Commission. Regional consolidations of services are a national standard and this goal was written into the Act as a high priority item.

He explained the Sennett resolution as follows: LEAA funds are available for a two-year period. Each region is given 10 months after the beginning of the fiscal year to make awards of the total funds allotted to them. At the end of 10 months, all funds not obligated go into a "pot." The Commission has to expend the total funds for the year in accordance with the specific categories included in the LEAA approved plan; however, after the 10 months have expired, expenditures no longer have to be allocated specifically by region. This then gives the Commission an opportunity during the next 12 months to reallocate funds which have not been awarded prior to the first 10 months.

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This bill was passed by the Pennsylvania Legislature in an effort to insure that federal funds were properly allocated and spent within the time frames allowed by LEAA.

As an example of coordinated services, he cited an approved grant which provided for an 8-county area communications network in southwest Pennsylvania. This grant enabled the various law enforcement agencies within the area to have a new individual communication system, but it was coordinated so that they could communicate with each other within the total area. He said this type of a coordinated effort probably saved 50% of funds which would have been required had each law enforcement agency gone its own way. Furthermore, they now have a coordinated system.

Another problem at the Commission is the lack of adequate salaries. He said it is not possible to hire properly educated people with considerable experience to administer the program. Dr. Godfrey wanted to hire better qualified people, but he could not compete in the job market in order to acquire in-depth experience needed to work in this program.

When asked about personnel problems at the Commission, he indicated that KARL BOYES appeared to be a problem in the Operations Division. He cited an individual by the name of ANDERSON who worked for Boyes who became disgruntled and left. Anderson is now with DR. HARMON. He also named a fellow by the name of GROSKIN as having worked for Boyes and left as being dissatisfied. The rumor was that Boyes gave no direction. He was unreasonable in his demands and was incompetent.

He described Godfrey as having the respect and loyalty of all employees. He was very fair. He had been a Ph.D. and taught at Williams College. He then went to work for the CIA before coming with the Commission. He wanted to get back in the academic world when he left the Commission, but Mr. Pinsky does not know what he is now doing.

Pinsky said that BERARD was not a bad problem at the Commission. He did a good job in connection with finances. He had the respect and dedication of people working under him in contrast to the situation with Karl Boyes.

At this point in the interview, Mr. Pinsky was asked concerning the attached draft of a letter reportedly from him to the Attorney General. He said that this was written, he believes, shortly after Mr. PACKEL became the Attorney General. It was prepared to indoctrinate Packel in connection with the program. He said a memo was sent to Packel by him, however, he is not sure that the attached

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draft is the exact wordage of that memo. It is substantially the same. It was his idea and his writing. He informed Dr. Godfrey of this proposed briefing letter. Pinsky is not aware of specific recommendations made by Dr. Godfrey to the new Attorney General.

He described the problems in Philadelphia and Allegheny Counties as their desire to be more "free wheeling." This was a Commission problem because those areas wanted to spend the money in the way they saw fit rather than in a more meaningful coordinated statewide plan. LEAA finally had to crack down on this type of free wheeling and insist that the various states have better annual statewide plans. Another manner of cracking down on states was the insistence of LEAA that fiscal monitors be placed in the field in order to continuously check on the expenditures of funds. Here again, local officials objected to this type of Harrisburg intervention.

In conclusion, he described the 13-member Commission as being very nonpartisan, however, they did not have the time nor make an adequate effort to really put the program on a meaningful statewide basis by establishing priorities and guidelines. The group did it more on an ad hoc basis rather than a long-range plan with priorities. Here again, the federal government has had to step in and is trying to set nationwide priorities and guidance through the establishment of a program entitled "National Standards and Goals for the Criminal Justice System."

CHAIRMAN

H. Joseph Hepford

MEMBERS

Eugene R. Geesey
Russell J. LaMarca
Joseph Rhodes, Jr.
David M. Turner



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

May 9, 1974

JHM

The Honorable Israel Packer
Attorney General
Department of Justice
Department of Justice Building
Capital Annex
Harrisburg, Pennsylvania

My dear General:

As you may know, the members of this Committee and myself have a continuing interest in the work and functions of the Governor's Justice Committee that administers the program in Pennsylvania established by the Federal Law Enforcement Assistance Act.

Our investigator, Dale S. Thompson, just talked to Mr. Snavelly about reviewing files and records relating to a number of grants that are of concern in our mutual interest in good law enforcement. Mr. Snavelly said that it would be helpful if your approval was forthcoming before the material can be made available for review.

Would you, therefore, be good enough to indicate your approval to both Mr. Snavelly and to me by the close of business on Monday, May 13, 1974?

Cordially,

H. JOSEPH HEPFORD
Chairman

HJH:rf

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

MEMORANDUM

By Dele S. Thompson

Date May 15, 1974

FILE: Governor's Justice Commission

At 9:30 am, May 15, I appeared at the office of Mr. JOHN T. SNAVELY, Executive Director, Governor's Justice Commission, Room 416, Executive House Apartments, Harrisburg, Pennsylvania. Mr. Snavely was able to see me within a minute or two in his office.

I indicated that after my discussion with him last week, the Chairman of the Committee had prepared a letter to the Attorney General asking that files be made available to staff members of the Committee as necessary to assist in our investigation. He said he was familiar with that letter.

I told him the Chairman had not received a reply and asked him whether he knew the intentions of the Attorney General in regard to the request. He said he had a copy of the Attorney General's reply which he showed me. He did not make a copy available. The reply indicated the Committee staff would be furnished with material within the province of public information; however, any additional information we desired would be reviewed by Mr. Snavely to determine whether it should be made available to the Committee staff.

I told him this was not what the Committee wanted; and, accordingly, I served a subpoena on him at 9:40 am, calling for his appearance at twelve o'clock noon today to make available certain grant files and related records. He wanted to know whether I thought this was adequate notice. I said I thought it was - - that it should not be too much trouble to get the files together - - and that I tried to see him yesterday, but he was not there.

I told him that the Committee did not want to take possession of the files if the complete files would be readily made available to the staff members at the Commission office. He said he was glad to get this information. He indicated he wanted to be sure that the records were made available to the Committee in accordance with the proper procedure.

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Mr. Snavelly appeared at noon at Room 401, Main Capitol Building, where the hearing was in progress. I talked to him and informed him that the Chairman had discussed the issue with the Attorney General and they had arrived at a mutually agreeable solution. I told him his presence would not be necessary and he asked that I put it in writing. I gave him a short statement to the effect that his appearance before the Committee today—for the purpose of answering the subpoena served upon him earlier this morning—was no longer necessary.

We made arrangements to meet in his office at 9:15 am, May 16. He said the grant files which had been requested will be available at that time.

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

MEMORANDUM

By Dale S. Thompson

Date May 15, 1974

FILE: Governor's Justice Commission

At 10:00 am, May 15, Attorney General Packel telephoned Mr. Hepford's office. He was not there and I suggested to Mr. Hepford's secretary that I take the call.

Mr. Packel stated that he wanted to talk to Mr. Hepford concerning the subpoena for the Governor's Justice Commission records. I told him that Mr. Hepford was in a public hearing, but that I was familiar with the matter since I had just served a subpoena upon Mr. Snively of the Governor's Justice Commission.

He said he wanted to work out something without getting into the issue of a subpoena. He said he would agree to making available to the staff of the Committee all of the records which we wanted, with the understanding that members of the staff would not make available to anyone, other than the Committee, the information obtained. Any hearings related thereto should be in executive session.

If the Committee decides that they desire a public hearing on the matters, then he would want to be consulted further.

I told him that Mr. Hepford would be in touch with him before too long. He indicated he was in his office, telephone No. 7-3391, and would be there until almost noon when he must go to Philadelphia.

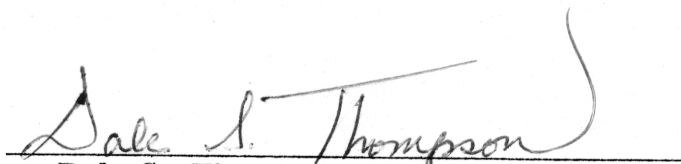
It should be noted that the subpoena listed only a part of all of the grants and related records which we will ultimately want to review. It should be made clear to the Attorney General that we will ask to review specific files and our inquiries will not be a "general rummaging through the files."

If the Committee works out an arrangement with the Attorney General, perhaps it may not be necessary for Mr. Snively to appear at 12 o'clock noon in accordance with the subpoena served on him.

MEMORANDUM OF UNDERSTANDING

Governing Access to Governor's Justice Commission Files

The undersigned, a duly authorized representative of the Chairman of the Committee of the House of Representatives of the Commonwealth of Pennsylvania to Investigate the Administration of Justice, does acknowledge receipt of access to the subgrant files and related documents of the Governor's Justice Commission listed on "Annex A" to this Memorandum, and also receipt of access to any other specific files and their contents after giving due notice to the Executive Director of the Governor's Justice Commission, and does further represent and agree that the information obtained from, or any copies made of, the contents of said files and documents, shall be released by me only to the Committee in Executive Session.


Dale S. Thompson, Investigator

Committee to Investigate the Administration
of Justice
House of Representatives

Dated: May 16, 1974

ANNEX A

SUBGRANT FILES

AG-P009	NE-104-71A
AG-P008	NW-149-71A
AG-P007	PH-03A-70
AG-101-72A	PH-04A-70
AG-110-72A	PH-034-71
AG-09A-69	PH-010-A-70
AG-115-72A	PH-2-A-69
CT-153-71A	PH44-71A
DA-104-71	PH34-71A
DF-70-444	PH-002-69A
DS-222-70A	PH-005-70A
DS-423-73A	SE-53-70A
DS-338-72A	SE-76-70A
DS-82-71	SW-89-70A
DS-203-71	SW-091-71A
DS-340-73	
DS-310-73P	
DS-330-73P	

Subgrant ledger; payment journal and funding level journal from July 1, 1970 to June 30, 1973, inclusive.

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

MEMORANDUM

By Dale S. Thompson

Date May 16, 1974

FILE: Governor's Justice Commission

On May 15, I telephonically talked with RAY FRANKENBURG at his office in Erie. He furnished the following information:

1. The rumor still persists that BERARD will be out in a short time. There is some indication they desire to retain his services through this fiscal year as there is a big push to get grants made and funds encumbered prior to end of the June 30 fiscal year.
2. KEITH MILES reportedly has returned to the Washington area where he is employed with an unknown firm.
3. Reportedly GODFREY still does not have a permanent position and acts as a consultant to some firm, possibly the Washington Justice Associates.
4. The Governor's Justice Commission has been meeting with NEAL BERG, LEAA, in Philadelphia. He is either an auditor or a fiscal person and he, presumably, is giving the Commission a hard time.
5. In about March 1974, Berard's title was changed from Director of Administration to Director of the Financial Division. This, presumably, is a step down in responsibilities.
6. There was a meeting over the weekend of May 3-5 in Harrisburg concerning law enforcement matters. Reportedly, there was a female there by the name of MADELINE MATHIAS who questioned and criticized the Commission's award to the City of Easton for a building. She is about 35 years of age and works for the Easton Express, 233 McCartney Street, Easton, Pennsylvania 18042. She, reportedly, has a bad rapport with the police chief there and feels that these federal funds could have been expended for a better type of project.



HOUSE OF REPRESENTATIVES
COMMONWEALTH OF PENNSYLVANIA

GJC
file

dlr

MEMO

SUBJECT:

TO: Members of the House of Representatives

FROM: Representative Milton Berkes

For your information, the enclosed news item bears out similar studies that are being done by the Governor's Council on Drug and Alcohol Abuse and indicates a shift in thinking concerning the relationship between drug abuse and crime.



COMMONWEALTH OF PENNSYLVANIA
OFFICE OF ATTORNEY GENERAL
HARRISBURG, PA. 17120

ISRAEL PACKEL
ATTORNEY GENERAL

May 14, 1974

H. Joseph Hepford, Chairman
Committee to Investigate the
Administration of Justice
Room 629, Main Capitol
Harrisburg, Pennsylvania

Dear Joe,

In answer to your letter of May 9, 1974,
Mr. Thompson can examine any application,
or final action thereon, at his convenience.
However, if he wants to examine the full file
and records of any particular grants, he should
give notice as to which he has concern. If he
does so, Mr. Snavely will have to determine
whether there are confidential matters or in-
office details which should not be made public.

Sincerely,


Israel Packel
Attorney General