

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

MEMORANDUM

TO: Truman Burke ~~X~~

By Downey Rice

Date October 18, 1973

FILE: LEADS (eastern and western)
Wiretapping (Law)

cc: Downey Rice

During the course of the hearing on October 18, 1973 that developed questions about the administration of the Governor's Justice Commission authorizing substantial expenditures for tape recording equipment that seems to be illegal, Representative Rhodes made a strong point to the Chairman that the warden at the Allegheny County Prison had severely criticized the Justice Commission to Representative Rhodes for sidetracking several projects that the warden felt should be maintained. We told Representative Rhodes that we would have the warden interviewed, so leads stemming from the hearing include:

1. Take a look at the application of the Sharon Police Department to the Governor's Justice Commission, and together with the Dictaphone list of law enforcement agencies having the recorder, try to ascertain from the Justice Commission how many other machines like the Sharon outfit have been authorized and paid for with funds flowing through the Justice Commission.
2. Interview the warden at the Allegheny County Prison to find out what criticism he has of the operation of the Governor's Justice Commission.

Representative Rhodes may help in this regard, and we should certainly let him know that the interview has taken place.

(You might do this on your next trip when you are talking to the trooper in Chambersburg.)

3. After an appropriate interval, follow up with Naylor, Reynolds, Teets, etc. Follow up with those people to see if they have revised the language in Reynolds' letter of July 3, 1973 regarding company policy to provide for immediate notification of the FBI.

will compile and call back 10/23/73

E. Dreyel 2nd floor, Executive Directory, 4th Fl, Rm 416, Executive House, 2nd & Chestnut Harrisburg, Pa. phone - 23040

4 and

*3/13/74
no further work necessary on this - per Rail
sst*

Consideration might be given also to whether it is feasible to get the company to tell us where "connectors" are in use as there was testimony that connectors are only used for recording telephone calls. There does not seem to be any room for legally recording calls in the State of Pennsylvania; ergo, if the connectors are hooked up to recorders where and for what are they being used?

*See memo
10/24/73
Edmond Mc Hill
Security Director
412-794-2510*

4. As Slippery Rock State College apparently received a \$10,000 Dictaphone recorder capable of taping telephone calls and it is a State-supported institution, find out what use is being made of the recorder. A telephone call ought to develop that information. 412-794-2510

OK

5. Revise our Pennsylvania list to include several we missed from the master list we copied.

Not needed

6. Possibly by telephone, take a sampling of several other users of the Dictaphone equipment to determine the use and purpose as our interpretation of Pennsylvania's law does not permit any recording of telephone calls.

*Packler
10-31-73*

7. We still have to interview Packler out in Greensburg, so we should determine if he has recovered and when and where we can talk to him. The same applies to Carcaci.

8. Craig Truax has someone in the liquor picture that he would like to have interviewed by a professional. We should try to accommodate him. We think it might be a girl.

*On 10/23/73, Truax advised this is being handled by the
Liquor committee.
JB*



HOUSE OF REPRESENTATIVES

COMMONWEALTH OF PENNSYLVANIA

HARRISBURG

Truman Burke

October 24, 1973

SLIPPERY ROCK STATE COLLEGE

On October 23, 1973, EDWARD MCGILL, Security Director, Slippery Rock State College, Slippery Rock, Pennsylvania, furnished the following information:

He advised that the Security Department purchased a Dictaphone Series 4000 Recording Unit on October 14, 1971, along with eleven tapes. The equipment was installed in February 1972 with the assistance of the telephone company. The telephone company's assistance was needed to install the connector, which was required before Dictaphone personnel could completely install the unit.

The cost of the unit was \$3,450. Installation costs and warranty costs caused the total expenditure for the unit to be \$3,600. The money was part of the general operating budget in 1971, which was state appropriated.

The Dictaphone Recording Unit monitors incoming and outgoing calls continuously from the following communications systems:

1. Telephone line No. 412:794-6272
(This is a direct line to the Security Department.)
2. Telephone line No. 412:794-2510, Extensions 240 and 249

This telephone number is the main number for the college, however, the recording unit is only synchronized to the two extensions which are located in the Security Department.

3. Campus emergency extension No. 211 which, of course, is maintained in the Security Department and can be reached through the main college number switchboard.



HOUSE OF REPRESENTATIVES

COMMONWEALTH OF PENNSYLVANIA

4. Telephone line No. ~~412-794-2755~~
HARRISBURG

This line is a 24-hour fire emergency number for the voluntary fire unit which handles fires not only for the college, but for the community as well.

5. College based radio station.

This station has three mobile units, as well as five "handy talkies," all of which are utilized by the college Security Department.

6. A remote radio unit connected with the Slippery Rock city fire department station.

The radio system at the college is leased from Peoples United Telephone Company of Carlisle, Pennsylvania. As previously indicated, the telephone company installed the connector and charges a nominal fee for it to be maintained on the existing telephone lines, which McGill believes is paid monthly. The equipment was installed by Dictaphone personnel.

Included with the recording unit are eleven 28-hour tapes. Each tape has an 8-track capacity. As indicated above, there are seven tracks used at the present time. At the end of every ten days, the tapes are erased and re-used.

According to McGill, the City of Slippery Rock has only four policemen, while his department consists of seventeen men. His personnel has full police powers similar to that of a third class city, while on the institution's property. In addition, he has an NCIC terminal in his Security Department. He believes that Slippery Rock is the only college which has the authority to report crime statistics directly to the FBI for use in the uniform crime report.

McGill advised that his seventeen men are State civil service employees and carry identification cards signed by the State Secretary of Education.

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

MEMORANDUM

By Downey Rice

Date November 14, 1973

FILE: GOVERNOR'S JUSTICE COMMISSION

KARL BOYES

Director of Operations/Bureau of Planning
Research Regional Support and Statistics,
413 Executive House, Harrisburg
Office telephone - 787-1777
Residence - 234-8698

RAYMOND FRANKENBURG

Director/Northwest Regional Office
Morton Building, 3520 W. 26th St., Erie
Office Telephone - 814:838-4511
Residence - 412:458-8476

THOMAS C. BERARD

Believe that Roy Titler did the investigation. Was involved in bankruptcy or lawsuit in New York State. One company involved in background was Niagara Cyclo Massage Company. There was trouble and criticism over patent right claims. Review of bankruptcy file might reveal derogatory information.

Later he went to work for Department of Mines and Mineral Industries, from which allegedly fired. Returned to Office of Administration about 1968, then got spot in Crime Commission under Creamer. He went to Godfrey in 1971. "Angel" or "Rabbi" could have been Art Sampson.

Charles F. Rinkevich, Executive Director, Penna. Crime Commission, was told to get rid of Tom Berard by his boss, possibly Bill Sennett. Rinkevich got conned however and kept Berard, but made a mistake. Rinkevich was succeeded by J. Shane Creamer and advised Shane to get rid of Berard, but Shane did not do it either. He later admitted he made a mistake.

Berard draws about \$23,000 now, up from about \$7,000 or \$8,000 when he started with the Crime Commission and later moved over to Governor's Justice Commission. Has a \$39,000 home in Hershey valued at \$67,000 - paid \$20,000 down. Buys and sells Cadillacs like a used car dealer. Has three Cadillacs now, plus indulging in his hobby as an antique car buff and collector.

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November 14, 1973

Investigation of Berard resulted in recommendation to turn down employment application. Has three or four children. Investigation was done by either Titler or WEST, then an investigator for the State, since retired.

When CHARLIE STRAUB from Washington, D.C. headed an LEA inspection team checking into the Justice Commission's work, the report cited Berard 43 times for not following procedures in hiring and other incidents apparently in violation of policy.

Berard possibly changed name from Berardelli to Berard in New Jersey.

ROBERT FREDERICK Executive Assistant
 Criminal Justice Regional Coordinator
 415 Executive House, Harrisburg
 Office Telephone - 787-2040

A former Philadelphia policeman. Will probably succeed Karl Boyes as he is very close and loyal to Godfrey. Frederick has a shady background with the Philadelphia Police and the F.B.I. and PSP have files on him. The news media also has files.

One of the principal beefs is with Berard. Godfrey, who has a CIA background, generated hiring of ARNOLD TREBACK and his group from Washington, D.C. as consultants. Treback was a teacher at American University. The gimmick started with a \$64,000 consultant contract and was suddenly increased to \$231,000, of which sources suggested that \$150,000 would have to be profit.

Treback et al. selected the evaluators for grants over \$100,000. Three to five percent for evaluation must be expended. The question is how was Treback et al. selected and how, in turn, do they select the evaluators. There is a situation where the consultants select other consultants in a never ending circle, with a heavy overlay of Temple University graduates being involved - probably through KEITH MILES who serves with Treback.

Sources believe most likely the problem area for kickbacks or mishandling of funds lies in a situation whereby grants are made to localities based on estimates. Then when funds allocated are not entirely used, they are returned by the locality to the Commission where Berard takes charge of the returned money. Apparently there is no particular accountability for the money that is returned.

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Some of it apparently is then re-allocated to State projects politically motivated that are boondoggles and reservoirs for payroll and other questionable expenditures by political figures, such as Lt. Governor Kline. One of these is a \$100,000 project set up as a "sop" to Kline in which he has CHARLOTTE GINSBURG on the staff and SUE HATHAWAY is the Lt. Governor's girl on the project. It has to do with some "jobber-wacky," referring that it is the Governor's Council on Goals and Standards - vaguely following the Federal Government's project on Goals and Standards just released from Washington.

There was a Justice Commission report issued six or eight months ago that contains critical material.

The Easton, Pennsylvania project is fraught with evil. Generally, the Police Department in Easton needed a new building. Someone thought it would be a good idea to apply to the Governor's Justice Commission for funds. The policy was opposed to spending money for bricks and mortar, and a regional planning council turned down the application and wrote a report as to the reasons therefor.

At this point, Berard got into the act; allegedly destroyed the staff memorandum presenting the matter to the main Commission, and rewrote the staff memo to suggest that the building was needed because of the flood, Agnes. Although this was not true, the Commission overrode the decision of the regional planning council—and with some wirepulling by Berard through members of the Commission who were indebted for allocations and grants, succeeded in getting someone to advocate the grant and someone to second the idea, resulting in an allocation of \$1/2 million in Easton in a building about to be completed.

Sources may be able to obtain documentation on the Easton matter and also documentation about the directive from Godfrey controlling publicity and administration employees to avoid the press.

Regarding the allocation of funds for tape recording equipment explored by this Committee and found to be illegal, sources advised that no agency ever raised any questions about the legality as the general idea was to spend money. This policy followed what appeared to be the Federal Government's policy of getting rid of money under the guise of fighting the war against crime; but when criticism was levelled for expenditures on ill-advised projects, there was a cover up as apparently the federal and state agencies did their own auditing. There really was no one to complain and no audit in the true sense of the word.

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When RICHARD THORNBURG was Chairman of the regional council, he had contact with Berard, as a result of which he had distinct differences of opinion - turned thumbs down on him, and resigned in a letter that apparently chastised the Governor's Justice Commission's operation. This was about the first month of 1973 and the letter should be obtained.

Sources suggested that for investigative purposes, someone should sit in on the December 12, 1973 meeting of the Commission. The meetings are public. It was said that "if someone went into the meeting with a number written on a piece of paper, he would probably come out with a grant in that amount."

There is a U.S. Senate report on the operation of the LEA that lists and identifies the consultants used in the State of Pennsylvania. This should be obtained for identification purposes. It probably lists the outfit in Washington, D.C. that is believed to have been formed for the purpose of milking the State of Pennsylvania with the collaboration of Berard.

A former chief of the audit section and procedures for the Governor's Justice Commission was CHARLES BRESNAHAN? Berard fired this individual. He should be located and interviewed.

209 pinsford dr
Middletown, pa
717-944-6515

October 29, 1973

SUBJECT: Funding for Communications Equipment

TO: Truman Burke, Investigator
Committee on Investigation of
Administration of Justice

FROM: E. Drexel Godfrey, Jr.
Executive Director *EDG J*
Governor's Justice Commission

The Governor's Justice Commission has funded the following subgrants which include "logger-recorder" equipment, i.e., equipment designed to tape-record incoming emergency telephone calls:

Allegheny Region

1 McCandless Township (AG-A-17-70)
Awarded 11/24/70 \$ 29,137

Central Region

None

Northeast Region

2 Luzerne County (Wilkes-Barre) (NE-001-69A)
Awarded 12/19/69 \$ 42,600

3 Reading (NE-002-69A)
Awarded 12/19/69 \$ 42,630

4 Luzerne County (NE-124-71A)
Awarded 7/10/73 \$ 45,000

5 *Allentown (NE-167-72A)
Awarded 2/5/73 \$164,511

6 Bethlehem (NE-224-73A)
Awarded 9/10/73 \$103,727

Northwest Region

7 *Clarion County (NW-086-72A)
Awarded 7/11/72 \$ 53,131

8 Greenville (NW-073-71A)
Awarded 3/2/71 \$ 27,750

9	Sharon (NW-142-72A) Awarded 5/19/72	\$ 16,224
10	*Jefferson County (NW-151-72A) Awarded 7/12/72	\$ 76,150
11	Erie (NW-228-71-73) Awarded 5/14/73	\$130,000 (71)
12		\$ 66,120 (73)
	<u>Southcentral Region</u> (A 911 system operates in Ephrata but is not funded by the Governor's Justice Commission.)	
13	Cumberland County (SC-A-042-70) Awarded 11/16/70	\$ 5,592
14	Dauphin County (SC-135-72A) Awarded 3/5/73	\$ 79,229
15	Lancaster County (SC-40A-70) Awarded 11/16/70	\$ 26,768
16	Lebanon City (SC-165-73A) Award pending	\$ 65,277
17	York City (SC-35A-70) Awarded 9/14/70	\$ 43,240
18	York County (SC-A-009-69) Awarded 12/19/ 69	\$ 34,299
	<u>Southeast Region</u> (A 911 system operates in Norwood but is not funded by the Governor's Justice Commission.)	
19	Cheltenham Township (SE-16-70A) Awarded 7/20/70	\$ 2,800
20	City of Chester (SE-23-70A) Awarded 8/17/70	\$ 20,760
21	Radnor Township (SE-123-70A) Awarded 8/10/71	\$ 9,475
22	Norristown Borough (SE-162-72A) Awarded 4/10/72	\$ 6,788

23	Coatesville (SE-180-71A) Awarded 7/10/72		\$ 8,240
24	Phoenixville (SE-292-72A) Awarded 6/27/73		\$ 5,924
25	Tredyffrin Township (SE-331-72A) Awarded 7/3/73		\$ 7,308

Southwest Region

26	Beaver County (SW-159-71A) (SW-183-72A)	Awarded 9/11/72	\$ 93,976
27		Awarded 3/ 5/73	\$ 52,092
28	Fayette County (SW-160-71A) (SW-201-72A)	Awarded 9/11/72	\$ 60,376
29		Awarded 4/ 2/73	\$ 26,570
30	*Westmoreland County (SW-161-71A) (SW-245-72A)	Awarded 9/11/72	\$142,032
31		Awarded 10/9/73	\$ 69,080
32	Indiana County (SW-162-71A) (SW-213-72A)	Awarded 9/11/72	\$ 46,892
33		Awarded 5/07/73	\$ 24,633
34	*Butler County (SW-163-71A)	Awarded 9/11/72	\$ 44,984
35	Armstrong County (SW-164-72A) (SW-198-72A)	Awarded 9/11/72	\$ 52,762
36		Awarded 4/ 2/73	\$ 35,652

Philadelphia Region

37	Philadelphia Police Department (PH-187-73A) Awarded 9/10/73		\$ 62,961
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Grand Total 1,824,690

* Indicates "911" emergency network

Amounts quoted are federal funds, and may include other components of a total system in addition to recording equipment.

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

MEMORANDUM

By Truman Burke

Date November 20, 1973

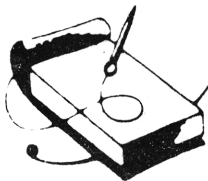
FILE: GOVERNOR'S JUSTICE COMMISSION

Raymond Frankenburg, Director, Northwest Regional Office, Erie, Pennsylvania, advised this date that he placed in the mail to the writer certain correspondence relating to a previous conversation. One of the items was Thornburg's resignation letter from the Governor's Justice Commission, as well as other material which is self-explanatory.

Ray advised that KARL W. BOYES resigned from the Commission effective last Friday, November 16, 1973, and will be moving to Erie within the next week or so. Boyes is in possession of a suitcase filled with material which will be xeroxed and made available to the writer as soon as possible.

It is hopeful that a meeting with Karl and Ray can be arranged in Erie on either December 2, 3 or 4 to pursue this matter further.

Ray also advised that ALBERT LEWIS, Director, Southcentral Regional Office and former Assistant DA in Dauphin County, is contemplating resigning in the next few days. Ray suggested that Lewis would be an excellent source to obtain information from regarding the Justice Commission.



Memo

FROM THE DESK OF
Downey Rice

Truman.

Suggest talk to
Wetley for specifics
so we can use in GJC
phase against Godfrey

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

W. Strunk?

JAM

MEMORANDUM

By Truman Burke

Date November 20, 1973

FILE: GOVERNOR'S JUSTICE COMMISSION

On November 19, 1973, JACK WILCOX, Sheriff of Tioga County, Wellsboro, Pennsylvania, telephone No. 717:724-3491, advised that approximately 2-1/2 years ago, through LEA grants, he obtained a computer terminal which he maintains in the county jail to facilitate his investigative and other criminal programs in his area. The terminal has limited capabilities in that the only access he had to the NCIC is pertaining to stolen weapons.

He is able to retrieve data from the State Police central files regarding stolen properties, wanted fugitives, etc., as well as Bureau of Motor Vehicles checks.

He has recently been contacted by a Lieutenant O'CONNELL of the PSP who supposedly is in charge of the State Police communications programs. Lt. O'Connell made an inspection of the county jail, after which he stated that the computer printout and terminal facilities were not secured. Lt. O'Connell added that prisoners and other unauthorized personnel could sabotage or use the facility because of inadequate security.

Lt. O'Connell also stated that because of the lack of protection, he was going to have the terminal removed completely. According to Wilcox, this was a verbal thing and he has received nothing in writing to the effect that this terminal would be taken from him. He advised that he planned to take security measures to better protect the facility and would have done this previously if his local commissioners would have provided the funds that were necessary. At any rate, he stated that he would pay for the security arrangements himself before he would give up the terminal.

Wilcox advised that he was previously on the Northeast Commission for the Governor's Justice Commission. He has recently quit because of differences of opinions that he encountered with some of the people regarding good law enforcement.

not covered in clarifying if this would amount to the probe

Governor's Justice Commission - 2
November 20, 1973

It should be noted that Jack Wilcox is one of the best law enforcement officials in the Commonwealth and he always had an excellent rapport with federal and state authorities. This man is known personally by the writer and the writer has high respect for him.