

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.

**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

4. Telephone line No. ^{COMMONWEALTH OF PENNSYLVANIA} 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

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:

will compile and call for k 10/23/73

E. Dreyel ~~2nd~~ ^{1st} ~~Fry~~,
Executive Directory,
4th Fl.
Rm 416,
Executive House,
2nd & Chestnut
Harrisburg, Pa.
phone - 92040

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.)

2-2-73

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.

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
Edward McMillen
Security Director
412-794-2510*

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.

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

*File with bill file - A-
on exception to warranty -
Hepford bill*

JRM

MEMORANDUM

By James R. Malley

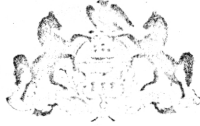
Date January 28, 1974

FILE: GOVERNOR'S JUSTICE COMMISSION
cc: Israel Packel
House Bill 1565
LEAA

At the Committee's hearing held on January 25, 1974, the attached letter from Attorney General Israel Packel was turned over to Chairman H. Joseph Hepford by E. Drexel Godfrey, Executive Director of the Governor's Justice Commission.

This letter indicates that the Justice Commission and its regional planning councils adopted a position that recording systems are needed and should be lawful, and further that legislation to clarify the legality of such recording practices, with safeguards for individual rights, was deemed essential.

The letter requested that this Committee, in making its report to the House of Representatives, urge the prompt passage of suitable legislation to amend the Crimes Code to clearly authorize the use of logger-recorder units.



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

January 25, 1974

Honorable Joseph H. Hepford, Chairman
Committee to Investigate the Administration
of Justice
House of Representatives
Room B-2 Main Capitol
Harrisburg, Pennsylvania

Dear Representative Hepford:

The membership of the Governor's Justice Commission, acting with the endorsement of its regional planning councils, has directed that its position on the legalization of the use of logger-recorders be presented to you and your committee.

There is a substantial legal question whether Section 5702 of the Crimes Code (18 CPSA § 5702) permits police and fire departments to attach tape recorder units to their telephone lines for the purpose of monitoring in-coming emergency calls. It was the sense of the Commission and its councils, as expressed at a conference held in Philadelphia on January 15, 1974, that such recording systems are needed and should be lawful. Legislation to clarify the legality of such recording practices, with appropriate safeguards for individual rights, was deemed essential.

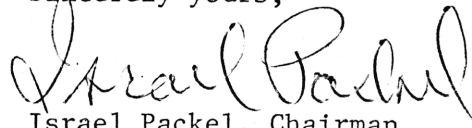
Logger-recorders are considered vital tools to prevent errors in the dispatch of emergency vehicles and to determine the timeliness of the response after a request for assistance is received by a police or fire department. No violence to civil rights can occur where only in-coming emergency calls are recorded and where a "beep" tone is used in accordance with telephone company tariffs.

At the present time, the Commission is holding in abeyance a number of applications for federal funds for the acquisition of logger-recorder systems. In addition, it has caused a number of applicants to delete from their applications for communications systems the portions relating to the funding of logger-recorders in order that the balance of those applications could be submitted for funding approval. These actions were taken so that the Governor's Justice Commission would not fund criminal justice projects of questionable legality.

Honorable Joseph H. Hepford
Page 2
January 25, 1974

Accordingly, it is requested that your committee, in making its report to the House of Representatives, urge the prompt passage of suitable legislation to amend the Crimes Code to clearly authorize the use of logger-recorder units.

Sincerely yours,

A handwritten signature in cursive script that reads "Israel Packel". The signature is written in dark ink and is positioned above the typed name and title.

Israel Packel, Chairman
Governor's Justice Commission