

CHAIRMAN

H. Joseph Hepford

MEMBERS

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Russell J. LaMarca
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HOUSE OF REPRESENTATIVES
COMMITTEE TO INVESTIGATE THE ADMINISTRATION OF JUSTICE
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

June 6, 1974

On June 5, 1974, in the late afternoon, Chairman Hepford called Attorney General Israel Packel. Thereafter, the Attorney General returned the call, whereupon, he was informed that the Chairman had reviewed with the Committee members, in executive session, the material which had been disclosed to the Attorney General, namely:

1. Schedule of Discretionary Grants
2. Funding Policy Statement of January 20, 1973 issued in public hearing.
3. Material from Governor's Justice Commission files of the following grants:
 - (a) Pennsylvania Crime Commission and Special Prosecutor
 - (b) Easton Project
 - (c) Washington Justice Associates, Inc.
 - (d) Yoke Crest, Inc. - Alternatives, Inc.
 - (e) Barbwire Society - Bureau of Correction
 - (f) Probation Department

The Attorney General had previously requested that the Committee not hold public hearings concerning the Pennsylvania Crime Commission and Special Prosecutor and Yoke Crest, Inc. and Alternatives, Inc. Mr. Packel was informed that these subjects were considered by the Committee and it was unanimously agreed to cover the same.

The Attorney General indicated that he felt the Pennsylvania Crime Commission and Special Prosecutor matter was something that is now pending and a public hearing on this subject would have an adverse effect on funding the Special Prosecutor. He primarily felt it would be better if the Committee did not do anything on that.

Call to Attorney General Packel - 2
June 6, 1974

With regard to Yoke Crest, Inc. and Alternatives, Inc., the Attorney General stated that he is very concerned that public exposure by the Committee concerning these organizations might hurt the individual who was in charge of this. He said they reviewed his actions and felt there was no fraud and, therefore, they were not going to press charges. Also, he said that the subject, MITCHELL RIGEL, had, in fact, told them (not identifying "them"), before he took the \$5,000, that the group (without identifying "group") owed him \$5,000 that he had advanced and he was entitled to this amount. In view of this, they did not feel there was any fraud involved.

The Chairman told the Attorney General that he did not know anything about the matter, but the Committee felt they wanted to look into the subject and the Attorney General was being informed in accordance with their agreement. The Attorney General said he was sorry to hear about that and the conversation was terminated.

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

MEMORANDUM

By Dale S. Thompson

Date June 11, 1974

FILE: Governor's Justice Commission

DS-338-72A

The Governor's Justice Commission awarded this grant on April 2, 1973 to the State Correctional Institution at Camp Hill, Pennsylvania, in the amount of \$179,182 for the period July 1, 1973 to June 30, 1974. The program was to establish a facility within the confines of the White Hill Correctional Institution as a therapeutic community to provide treatment to persons entering the institution who have a history of alcohol or drug abuse.

The Bureau of Correction, after receiving the subgrant, wrote a service purchase contract to Alternatives, Inc. (Project I) to run the alcohol and drug treatment center. The original service purchase contract was effective August 1, 1973 and was signed by LARRY E. BIENEMANN for Alternatives, Inc. The original service purchase contract was for \$30,205.62, but was amended on August 16, 1973 to add \$45,308.43, thus the monthly billings were to amount to \$15,102.81 to run for five months.

According to the fiscal review sheet prepared by a staff accountant of the Governor's Justice Commission, Alternatives, Inc. started running the alcohol and drug abuse center at the institution on October 1, 1973. This accountant also reported that in connection with this grant, VALERIE RIGEL loaned Alternatives, Inc. (Project I) \$5,000 on October 9, 1973 to start this program. He reports that on October 18, after receiving the first check from the Bureau of Correction, Ms. Rigel was repaid the \$5,000 by Alternatives, Inc. (Project I).

DS-423-73A

On November 13, 1973, the Governor's Justice Commission awarded this grant to Alternatives, Inc. in the amount of \$57,365 for the period November 13, 1973 to February 15, 1974. Alternatives, Inc. was to supply technical assistance and expertise to localities interested in establishing community treatment programs throughout the state, similar to the Yoke Crest program.

The Governor's Justice Commission issued a check in the amount of \$28,682 to start this project. This check was deposited in the General Account of Alternatives, Inc. on December 21, 1973. On December 27, 1973, a check in the amount of \$23,682 was deposited in the Alternatives, Inc. Special Account — Statewide Planning Project. The entire amount of \$28,682 should have been deposited in this account when the check was received from the Governor's Justice Commission.

On December 21, 1973, VALERIE RIGEL signed a check in the amount of \$5,000, payable to M. K. RIGEL, reportedly as a loan. Mr. and Mrs. Rigel repaid the Governor's Justice Commission in the form of a cashier's check for \$5,000, dated March 5, 1974.

—:— —:— —:—

From the foregoing, it appears there is no relationship whatever between the \$5,000 received by Mr. Rigel on December 21 and the \$5,000 loaned to Alternatives, Inc. by his wife on October 9, 1973.

According to reports prepared by the Governor's Justice Commission and furnished to the Department of Justice in regard to this matter, it is stated that \$5,000 of funds from this grant were diverted for his own personal use for the purchase of his home. It was further reported that in the questioning of Mr. Rigel about this transaction, he stated that it was an emergency measure.

LEWIS, BRUBAKER, WHITMAN & CHRISTIANSON

ATTORNEYS AT LAW

EARL A. BRUBAKER
ALVIN B. LEWIS
JAMES R. WHITMAN
ALVIN B. LEWIS, JR.
GEORGE E. CHRISTIANSON
NICHOLAS B. MOEHLMANN
DAVID JOHN BRIGHTBILL
JEFFREY A. KEITER
JOHN R. KELSEY, III

June 12, 1974

418 CHESTNUT STREET
LEBANON, PENNSYLVANIA 17042
TELEPHONE (717) 273-1651

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The Honorable Joseph H. Hepford
Chairman
Justice Committee
House of Representatives
Capital
Harrisburg, Pennsylvania 17102

Dear Mr. Hepford:

Please accept my appreciation for the courtesy that you, the members of your committee and your staff extended to me during the preparation and my attendance at your hearing, yesterday. I am very pleased that an important committee of the General Assembly is taking an interest in the very serious problems which confront criminal justice in these turbulent times.

If I may provide any further information, please contact me.

Respectfully,

Alvin B. Lewis, Jr.

ABL, Jr.:gm

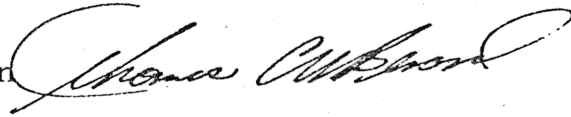
cc: Representative Eugene R. Geesey
Representative David M. Turner
Representative Russell J. LaMarca
Representative Joseph Rhodes
Downey Rice, Counsel
Mr. Dale Thompson

December 6, 1973

Administrative Directive #56
 SUBJECT: Lapsing of 1972 & 1973 Title C & E Action Funds

TO: All Regional Directors

FROM: Thomas C. Berard
 Director of Administration
 Governor's Justice Commission



Please consider this notification as an official financial policy without exception as regards lapsing of action funds. It is based on the latest memo from the LEAA reaffirming their position and mandating that we operate within the Guidelines. Following is a statement from the Guidelines in reference to Title C & E Action Funds:

"...block action grant funds are awarded to the State Planning Agency for obligation during the two full fiscal years..." from date of award to SPA.

In essence, the action funds have a two-year life on a draw-down basis concurrent with the awards as they are approved by this Agency Statewide. No grant award is for more than 12 months. It is also important that all our money be awarded within any 12-month period against a given block grant in order to enable the last subgrantee full enjoyment of 12 months of grant life under the umbrella of the Guidelines. Following is a schedule which will simplify this for you.

With respect to the revision of the obligation period for action funds, the following is an illustration of this change:

| <u>FY</u> | <u>Part C & E Action</u> |
|---------------|------------------------------|
| 72 Obligation | 6/30/74 |
| Expended | 9/30/74 |
| 73 Obligation | 6/30/75 |
| Expended | 9/30/75 |

In reference to the above schedule, the LEAA Regional Office will not entertain any requests for extensions of the grant beyond the posted dates.

To further clarify the difference between obligation and expenditures, the funds technically lapse on June 30th of each of those given years and the only reason for a 90-day extension -- with request and approval by myself and this Agency -- would be to allow a subgrantee that period of time to receive delivery which might be late even, though it was obligated, and to pay for it and/or other categories of contracted services and/or goods to receive invoices and disburse the funds against those obligations during that 90-day close-out period, if justified.

Salaries and other general operating expenses are not obligations by nature, and can not be extended for a longer life nor can you obligate to continue a service for a longer life past the obligation date. //

Please refer to any of the grants within your Regions and to the financial reports which are provided to acquaint yourself, in depth, with the status of your grants and any requests you may have for continuation funding.

Please be guided accordingly.

TCB/lf

CC: Dr. Godfrey
Mr. Berard
Mr. Frederick
Mr. Rompler
Mr. Solomon
Mr. Rice
Mr. Bressler
Mr. Petruccio ✓
File
All Field Accountants

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

MEMORANDUM

By James R. Malley

Date June 18, 1974

FILE: Governor's Justice Commission

Mr. JAMES KAISER, telephone No. 787-2150, Auditor General's Office, called today and stated that Truman Burke when with the Committee had a discussion with BILL SMITH of the Auditor General's Office and that he had in his possession a memorandum, dated March 5, 1974, setting out eight items which apparently were of specific interest to Mr. Burke at the time of his discussion with Smith.

He stated that the Auditor General's Office is now in the process of getting underway with their audit of the Governor's Justice Commission and desired to discuss these eight items with a representative of the Committee.

In looking over the material available, it is noted Burke prepared a memorandum on February 13, 1974 covering his conversation with ROBERT CASEY, Auditor General, John Lynch and William Smith, at which time they advised him that they had received a request from Deputy Attorney General SOLOMAN requesting Casey's office to conduct an audit of the Governor's Justice Commission. At that time, Smith advised that the audit program for the GJC was being mapped out; and when completed, the audit would commence.

On February 22, 1974, Burke prepared a memorandum summarizing the investigation conducted of the GJC regarding the financial aspects which could be used as a guideline to set up a hearing for TOM BERARD, GJC. It included a review of the federal audit report of the GJC and set forth ten specific irregularities or misuse of funds by the GJC. It is not known whether these irregularities might be some of those Kaiser is referring to.

Mr. Kaiser was advised that the writer was not familiar with the items that Burke had been discussing, but would check into the matter and that Mr. Thompson or someone would be in touch with him in a few days.

6/25/74 - I talked to James Kaiser; nothing of interest to us at this time, in connection with Auditor General's Office. J. Thompson

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

June 19, 1974

Mr. S. John Cattone
U. S. Attorney
Middle District of Pennsylvania
U. S. Post Office and Courthouse
Post Office Box 309
Scranton, Pennsylvania 18501

Dear Mr. Cattone:

Mitchell Kenneth Rigel
Alternatives, Inc.
Harrisburg, Pennsylvania

During the inquiries being made by staff members of this Committee relative to the Governor's Justice Commission, the organization formed to handle funds provided by the Federal Law Enforcement Assistance Administration to the State of Pennsylvania, information has come to our attention which we desire to call to your attention for consideration as to whether a federal violation has occurred.

Mr. Mitchell Kenneth Rigel, Executive Director of Alternatives, Inc., has in the past been convicted of a bank robbery and violation of the Interstate Transportation of Stolen Motor Vehicle Statute in December 1951. He was sentenced to serve 15 years in the Federal Penitentiary by the U. S. District Court, Northern District of Ohio. He was paroled on April 9, 1957.

Mr. Rigel was arrested on August 20, 1965 and charged with the robbery of a federally insured savings and loan association in California. Rigel was given a 20-year suspended sentence and placed on probation for five years by the Federal Court in Los Angeles. He was returned to the Federal Penitentiary on February 21, 1966 and subsequently released on June 15, 1970.

Following his parole in 1970 from Lewisburg Penitentiary, he was named the Executive Director of Yoke Crest, Inc., Harrisburg, Pennsylvania, an organization to rehabilitate prisoners.

Mr. S. John Cattone - 2
June 19, 1974

Alternatives, Inc. was formed by Mr. Rigel in approximately 1972 as a privately operated corporation. Its purpose was an "alternative to prison." It had as its Board of Directors:

| | |
|------------------------|-------------------------------|
| Mitchell Kenneth Rigel | Executive Vice President |
| Robert Rigel (brother) | President |
| Newman Gaugler | President of Prison Ministry |
| Valerie Rigel (wife) | Secretary-Treasurer |
| Irene Gaugler | Assistant Secretary-Treasurer |

A project was set up at the State Correctional Institution, Camp Hill, Pennsylvania, for the purpose of running an alcohol and drug treatment center. A federal funding of \$179,182 was awarded to the State Correctional Institution at Camp Hill which gave a "service purchase contract" to Alternatives, Inc. on August 16, 1973 for a monthly billing of \$15,102.81.

On November 13, 1973, the Governor's Justice Commission made a grant to Alternatives, Inc. for a project to set up programs similar to Yoke Crest, Inc. in other localities. \$57,365 was awarded in this grant to run through November 1974. The first amount of money made available to Alternatives, Inc. was the sum of \$28,682. This was not deposited in a special account as directed, but was processed through a Rigel controlled umbrella account, with \$23,682 going into this project and \$5,000 used as a down payment on a house purchased by Mr. Rigel.

In January 1974, information was furnished to the Governor's Justice Commission which caused inquiries to be made relative to the handling of funds and general operation of Alternatives, Inc. In a memorandum from Thomas C. Berard, Director of Administration, Governor's Justice Commission, to Mr. Peter Brown, First Deputy Attorney General, Department of Justice, Commonwealth of Pennsylvania, Mr. Berard advised that an administrative review and auditor's review of Yoke Crest, Inc. and Alternatives, Inc. revealed that monies were commingled and the record keeping was very poor. There was a diversion of \$40,000 to Alternatives, Inc. (the umbrella consulting organization) not within the confines of any of the Governor's Justice Commission grants.

A review report by the Audit Division, Comptroller's Office, Department of Justice, was prepared by Kenneth F. Small. Mr. Small's review states that federal funds, in the amount of \$28,682 were deposited in Alternatives, Inc. (umbrella corporation) on December 21, 1973. These funds were awarded to Alternatives, Inc. statewide planning project. On December 27, 1973, an expenditure of \$23,682 was made from Alternatives, Inc. and the same amount was deposited to

Mr. S. John Cattone - 3
June 19, 1974

Alternatives, Inc. statewide planning project on December 27, 1973. The review shows that the balance of the federal funds, in the amount of \$5,000, was not deposited in the account of Alternatives, Inc. statewide planning project; instead, a \$5,000 check was written to the Executive Director (Rigel). The only justification for this action was a verbal statement from the Executive Director indicating that the \$5,000 check was a loan. The statement is made that it has been the policy of Alternatives, Inc. to lend monies to staff members; however, the lending policy is not a written policy and, in the past, federal funds had not been loaned to staff members.

Mr. Small, in his personal comments concerning his review of the corporate by-laws and the minutes of the Board of Directors meetings, states, among other items, that the \$5,000 loan to Mr. Rigel as a down payment on his home has been established by the Department of Justice, Bureau of Investigations. He states that as these monies were federal funds, a definite violation of federal regulations exists.

Inquiries made by staff reveal that the \$5,000 of federal funds, which Rigel used as a loan, was repaid to the Governor's Justice Commission in the form of a cashier's check, dated March 5, 1974.

The foregoing is a summary of the administrative handling of funds by Alternatives, Inc. Your office may desire to have a full investigation made to determine whether there have been federal violations on the part of Mr. Rigel, who was relieved from his position as Executive Director of Yoke Crest, Inc., or other employees of Yoke Crest, Inc. and Alternatives, Inc.

I would appreciate your advising me what action is taken on this matter.

Sincerely,

H. JOSEPH HEPFORD
Chairman

HJH:rf

cc: Federal Bureau of Investigation
Philadelphia

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

MEMORANDUM

By Downey Rice

Date June 19, 1974

FILE: Governor's Justice Commission

TO: James R. Malley - Dale S. Thompson

Following the hearing of June 18, 1974 in re Snavelly, Governor's Justice Commission, and Mitch Rigel, the Chairman and I conferred as to the next moves. It was agreed that

1. We should immediately write to the U. S. Attorney, Middle District of Pennsylvania, and either separately or with a copy to the FBI alerting them to the possibilities that federal violations have occurred in the Mitch Rigel/Yoke Crest, Inc./ Alternatives, Inc.
2. Consider recalling Snavelly and Godfrey to pursue the unfinished aspects of the GJC problems, such as the funding of the Special Prosecutor, Barbwire Society, details of hiring Kenneth F. Small, auditor, away from the Comptroller's Office. It was reported that Small had gone over to the Governor's Justice Commission at an increased salary. (This has been verified through the Auditor General's Office.) It is interesting to note that the critical audit report was dated February 27, 1974, and Small's job classification changed to Accountant II and salary increased from \$403.50 to \$442.50 on March 21, 1974.

In line with Representative LaMarca's suggestion, consider calling Mitch Rigel and Larry Bienemann.

In connection with Mitch Rigel, he was to call the writer on Thursday, June 20, for an appointment for an interview. If he calls, tell him that I will be out of town and, hopefully, will be back on Monday and will call to set up an interview.

Governor's Justice Commission - 2
June 19, 1974

3. We should follow up the PACIDA grant to ascertain details from the Department of Health and if there has been any audit; if so, what it disclosed.
4. In reply to a question about whether he had ever told the federal authorities about the Mitch Rigel situation, Snavely, rather weakly, answered that he had told Chris Marton of LEAA in Philadelphia about this. An interview should be had with Chris Marton to establish the facts. Depending upon the extent of information received by Chris Marton, we should certainly make doubly sure in writing to LEAA in Washington that serious question have been encountered in Harrisburg, pointing out what at least one auditor has concluded constitutes federal violations. (See Auditor Small's audit, Exhibit File, No. YC-S.)
5. Consider a written alert to the federal parole authorities above the level of Donald Stephenson.
6. Continue to concern ourselves with structuring remedial legislative bill to get the Governor's Justice Commission on the approved track in line with other states.
7. Continue to try to design a restructuring of the State Police into a highway patrol and separate bureau of investigation, using the recent abortive court martial as an example of the archaic military system now being employed.
8. Get out a request to the Committee members for input ideas for our final report.
9. Consider a date for resumption of GJC hearings that would possibly include Rigel, Bienemann, Snavely, Godfrey, and perhaps Berard, to explain what became of the match money necessity on the Alternatives grant and how the unpaid taxes that Yoke Crest and Alternatives were justified if they have been or buried if they were.

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

MEMORANDUM

By James R. Malley

Date June 19, 1974

FILE: Governor's Justice Commission

Mrs. JANE RIGEL, the former wife of MITCH RIGEL by whom she had two children, called today inquiring as to why the publicity barrage concerning her former husband had occurred. She was quite upset - obviously mad - and stated she did not understand who had it in for her ex-husband, Mitch Rigel, that he had done nothing wrong. She requested to be advised why anything was going on since the matter had been settled some time ago.

Mrs. Rigel was advised that the Committee, under the chairmanship of Mr. Hepford, had nothing to do with the Governor's Justice Commission. The Committee was making certain inquiries relative to the operations of the GJC and, in so doing, had found certain information relating to the operations of Yoke Crest, Inc., as well as Alternatives, Inc., which the Committee felt should be looked into and, as a result, a hearing was held on this matter.

Mrs. Rigel went on for some length expounding on the fact that her husband had done nothing wrong. It was hard enough to raise two children who had been subjected to many comments in the past. Now that things had pretty well settled down with no comments concerning their father, additional publicity was now being put out which would certainly cause her a great deal of trouble - and particularly her children.

She advised that she had received a number of telephone calls today from friends of hers and that she had also received a call from Mr. Donald Stephenson, the probation officer, who inquired whether she had seen the newspaper concerning Mitch.

This is submitted for information.

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

MEMORANDUM

By Dale S. Thompson

Date June 24, 1974

FILE: Governor's Justice Commission

On June 24, DAVID MAYER, Comptroller's Office, Department of Justice, who has been very cooperative and helpful in all matters in the past, furnished the following information.

KENNETH S. SMALL passed a Pennsylvania Civil Service Commission test which made him eligible on the Accountant II list. He had several interviews for employment, but ended up under Mr. Mayer in the Comptroller's Office as a Probationary Accountant Trainee in January 1972. After one year, in January 1973, his classification was changed to Probationary Accountant I. The grade structure in the Comptroller's Office did not permit hiring Small or promoting him to an Accountant II position for which he was qualified.

After he performed the audit for Yoke Crest, Inc., his ability was recognized by the Governor's Justice Commission and hired as an Accountant II, which classification was available at the Commission.

Mr. Mayer praised Small's ability and his work. He does not attribute any unwarranted motives to the Governor's Justice Commission in hiring Small away from the Comptroller's Office. The periodic increases in Small's salary in 1972, 1973 and 1974 were due to increases in the general wage scale because of cost of living increases, union adjustments, etc. His only changes in substantive classification were in January 1973 to Accountant I and in March 1974 to Accountant II.

BILL McCALLUM was also an employee of the Comptroller's Office and worked on the Yoke Crest, Inc. audit. Mayer described his case as unique in that McCallum was a pre-audit supervisor in another part of the Comptroller's Office, but ended up on the "bad side of management." He was transferred to Mayer's

Governor's Justice Commission - 2
June 24, 1974

section. He wanted to leave the Comptroller's Office in the worse way. He had some friends in the Personnel Office at the Governor's Justice Commission; and after the audit of Yoke Crest, Inc., he was able to get a lateral transfer to the Governor's Justice Commission.

The Governor's Justice Commission also hired CARL RECTENWALD from the Comptroller's Office. Rectenwald was an auditor for GJC in the southwest region, however, the workload in that area dried up and Mr. Mayer wanted Rectenwald to do a lot of travel or transfer from the area. Rectenwald did not want to leave the area and finally transferred as a Field Auditor II to the GJC at the same rate of pay that he had at the Comptroller's Office.

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

MEMORANDUM

By Dale S. Thompson

Date June 25, 1974

FILE: Governor's Justice Commission

At 10:35 this morning, Mr. MITCH RIGEL telephoned and asked for Mr. Rice. I talked with him and indicated Mr. Rice had been called out of town last night and would not return until tonight or tomorrow morning.

He wanted to know what Mr. Rice wanted with him. I indicated Mr. Rice wanted to talk to him about Alternatives, Inc. and Yoke Crest, Inc. matters. He said he did not think that Mr. Rice and he had anything to talk about. He had offered to talk to Mr. Rice last week and the next thing he knew he found himself blasted in the paper.

He said he was off during the day, but would be at work from 6:00 pm to 9:00 pm. He would be at home after 9:10 pm. He will be at work from 9:00 am to 6:00 pm tomorrow, June 26.

He was informed Mr. Rice would be advised of his call.