

Capitol Annex
(717) 787-3167

July 19, 1974

Honorable Patrick A. Gleason
House of Representatives
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

Dear Representative Gleason:

I have received your letter of July 18, 1974 in which you request, on behalf of the House Select Committee to Investigate State Contract Practices, copies of all investigations conducted by the Office of the Attorney General from 1966 to the present time into allegations of criminal conduct on the part of employees of the Pennsylvania Department of Transportation.

By copy of this letter to Cecil H. Yates, Director of the Bureau of Investigations of the Department of Justice, I am asking him to determine what files we have which would be covered by your request. I shall communicate further with Mr. Powell as soon as I have this information.

I should respectfully point out, however, that it is our position that we should not and will not provide copies of reports of criminal investigations which are still in progress.

Yours truly,

BL:ij
cc: Johnstown Office
Attorney General
Mr. William Powell
Cecil H. Yates, Director

Benjamin Lerner
Deputy Attorney General
Chief, Office of Criminal Law



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

ISRAEL PACKEL
ATTORNEY GENERAL

July 3, 1974

Honorable Patrick A. Gleason
Chairman, Select Committee on
State Contract Practices
House of Representatives
Main Capitol Building
Harrisburg, Pennsylvania

Dear Representative Gleason:

I regret that your mystification has led to the accusation that I am arrogant and evasive. With no real chance of convincing you otherwise, even though hope springs eternal, I give you this prompt and brief reply:

1. I furnish legal opinions to the executive department of the Commonwealth, and I have no obligation to furnish a legal opinion to you.

2. You desire to discontinue to engage in a series of communications with me--I appreciate that.

3. I considered your two old Westmoreland letters to be clearly politically motivated. I see no need to characterize your current letter. Incidentally, you ought to know that the letter of October 17, 1973 addressed to me was answered at my request by Deputy Attorney General Lerner on October 19, 1973. You also ought to know that appropriate prosecutive disposition was for the Westmoreland County District Attorney and not for me.

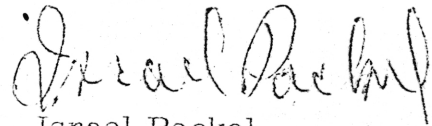
4. There are errors, and I am being polite, about each one of your statements dealing with the Pennsylvania Crime Commission, gift liquor, grant of immunity, Insurance Subcommittee and District Attorney supersession. You will excuse me not commenting about answering all the other examples, which you do not give but which you say you can go on with indefinitely.

Honorable Patrick A. Gleason - 2 -

July 3, 1974

5. I feel very bad that you choose to tell me that I have unashamedly disgraced and discredited my office and that you have even failed to end your letter by a "very truly yours."

Very truly yours,

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

Israel Packel
Attorney General

IP jg

RECEIVED

OCT 23 1973

DEPT. OF JUSTICE

REFERRED _____

Capitol Annex
(717) 787-3167

October 19, 1973

Honorable Patrick A. Gleason
Chairman of the Special House Committee
House of Representatives
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania

Dear Representative Gleason:

The Attorney General has asked me to reply to your letter of October 17, 1973 regarding our investigation of the Westmoreland County PennDOT District 12-5.

The Department of Justice recently conducted a long and intensive investigation into this matter, and as a result of this investigation we have recommended to the Secretary of Transportation and to the District Attorney of Westmoreland County that certain specific action be taken to correct the conditions which existed there. A copy of our report has been made available to the Auditor General.

The action which we recommended included, among other things, criminal prosecution in two instances, one of which relates specifically to the leasing of equipment problem mentioned in your letter.

We feel that a legislative investigation at this time may prejudice the possibility of successful criminal prosecution. Accordingly, I respectfully request that you defer such an investigation at least until the District Attorney of Westmoreland County has had an adequate opportunity to proceed on our recommendations.

If you wish I would be happy to discuss this matter further with you at your convenience.

Yours truly,

BL:ij
cc: Honorable Israel Packel ✓
bcc: Dean V. Sheaffer

Benjamin Lerner
Deputy Attorney General
Chief, Office of Criminal Law

COMMONWEALTH OF PENNSYLVANIA



OFFICE OF THE ATTORNEY GENERAL
HARRISBURG, PA. 17120

Capitol Annex
(717) 787-3167

June 17, 1974

The Honorable Patrick A. Gleason
Chairman, House Select Committee on
State Contract Practices
House of Representatives
Commonwealth of Pennsylvania
Harrisburg, Pennsylvania 17120

Re: Westmoreland County Investigation

Dear Representative Gleason:

The Attorney General has asked me to respond directly to your letter of June 7, 1974, because I, as Chief of the Office of Criminal Law, was responsible for forwarding our investigative report to the District Attorney of Westmoreland County and because I was involved in our discussions with Richard Kirschner, Esq., concerning his instructions to AFSCME members about cooperating with the Department of Justice' investigation in this matter.

In June of 1973, at the time when the Department's Bureau of Investigation was attempting to complete its investigation in the Westmoreland County matter, we found that we were encountering some difficulties with state employees who were refusing to cooperate with us on the basis of Mr. Kirschner's letter of May 14, 1973 to Roy R. Wise, AFSCME Council Representative. I spoke to Mr. Kirschner at this time and reminded him that the Department of Justice had frequently cooperated with the Unions in instituting investigations at the request of Union members and that, moreover, it was our position that state employees had a duty to cooperate with a Department of Justice investigation. After this conversation we completed our investigation and found that we were able to secure cooperation from employees who had expressed reluctance to cooperate with us earlier. As a result of this, we were able to complete our investigation.

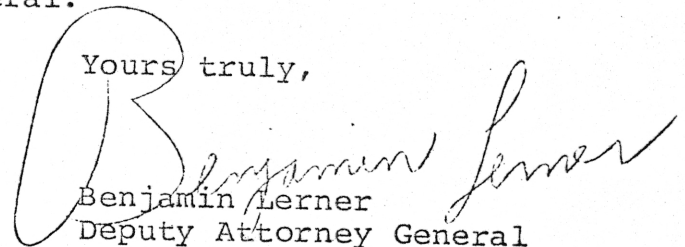
Honorable Patrick A. Gleason

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June 17, 1974

I hope that this letter answers the questions that you raised with the Attorney General.

Yours truly,



Benjamin Lerner
Deputy Attorney General
Chief, Office of Criminal Law

BL:meh

cc: Honorable Israel Packel
Honorable Robert Casey
Bureau of Investigations