

THE POLICE TRANSPARENCY PROJECT

Edition 2

www.thepolicetransparencyproject.com

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Decades Apart, Same Story: Philadelphia's Troubling Pattern of Unconstitutional Tactics in Homicide Cases

By: Teri B. Himebaugh
PTP Executive Director

Homicide detectives no longer dress up in a 'white rabbit' costume to beat, coerce and threaten witnesses and suspects into 'cooperating' as disclosed in the late 1970's by Pulitzer Prize winning Philadelphia Inquirer reporter Jonathan Neumann.

That does not mean, however, that the beating, coercion, and threats have stopped. Consider just one person's experience over three decades later:

My name is Rosalie Dennis. I have been convicted of a murder. I was interrogated by Philadelphia Homicide detectives twice. The first time I was questioned I went voluntarily after learning that I was wanted for questioning. I was placed in a room. I was told my brother was being held in a different room. I was there for hours. I asked for an attorney and one never showed. I refused to speak with them and they finally allowed me to leave after I signed a statement which I did not read.

My mother later told me that my brother had been beaten up by the cops.

Some weeks later I was in the backseat of a friend's car when cops approached and removed me from the vehicle stating, "someone wants to talk to you."

I was handcuffed and taken to the Homicide Unit and placed in an interview room where I was unhandcuffed. Two detectives entered. One

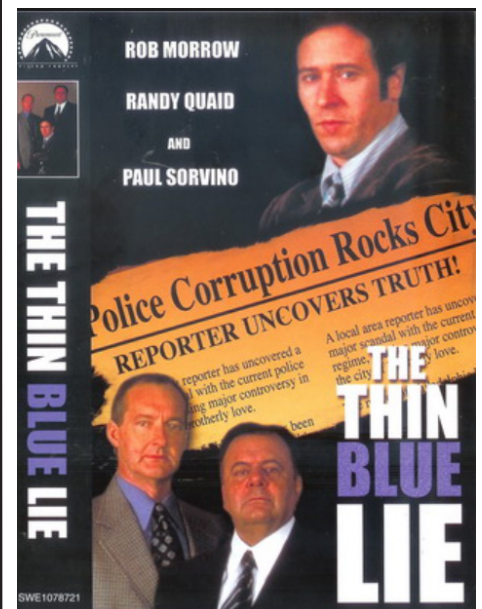
of them was Det. James Pitts. He looked at me with disgust and asked me whose vehicle I had been arrested in. When I said I didn't know he slammed his hands on the table and yelled at me that I was going to jail for murder. I said I had nothing to say and that I wanted an attorney. Det. Pitts screamed that "I wanted to be tough." He kept calling me a "bitch" and "stupid." He told me he already had a statement from my brother and that I was never going home. As the two detectives were leaving the room I asked to use the restroom but the door was shut in my face.

Det. Pitts came back a little while later. When he entered he gripped me up by my shirt out of the chair. I was thrown against the wall and he began yelling again close to my face. I kept asking for my attorney to no avail. Det. Pitts showed me statements he claimed were from my brother.

When he left the room again I put my head down on the table. When he reentered, he slammed his hands on the table and told me to get the f*% up. I sat up and asked again about my lawyer. This is when he grabbed me by my neck and told me I was going to stop playing with him. He was getting a statement. He told me I was never going to leave and that my grandmother was going to jail. He had his hand around my neck yelling that I am about to get what my brother got. I was terrified at that point. I did whatever I was told.

He told me to sign a statement he provided. I did and he left. I didn't know what it said. I just signed it. They had me change the statement by crossing out and writing over parts of it.

The 'White Rabbit': How a Pulitzer-Winning Investigation Exposed Civil Rights Violations by Philadelphia Homicide Detectives



By Kathryn Himebaugh
PTP Managing Director

Henry Ford once said; "The only real mistake is the one from which we learn nothing."

It was during the late 1970's that reporter Jonathan Neumann took over the court beat for the Philadelphia Inquirer. He quickly discovered wrongdoing at every turn, with cops beating suspects into often blatantly false confessions. Digging deeper, Neuman uncovered a pattern of beatings, threats of violence, intimidation, coercion and knowing disregard for constitutional rights during interrogations by Philadelphia police officers of homicide suspects and witnesses. Even more shocking, he found that homicide detectives had come to accept breaking the law as part of their job.

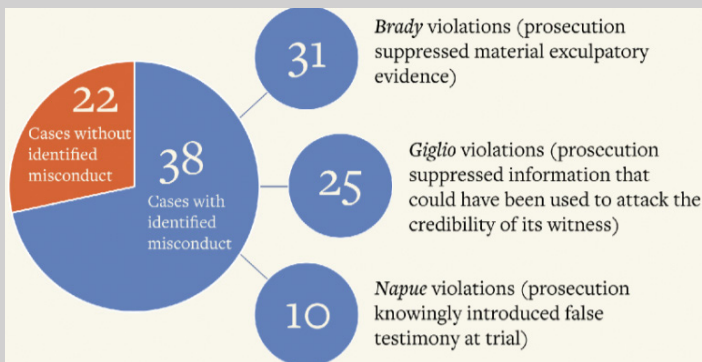
**POLICE
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[SEE UNCONSTITUTIONAL PAGE 4](#)

[SEE WHITE RABBIT PAGE 5](#)

NOTICE

By agreement between the Philadelphia District Attorney's Office and the Philadelphia Police Department, packets previously referred to by the Commonwealth as "Police Misconduct Disclosures" (PMD) will now be referred to as Brady/Giglio Disclosures (BGD).



20 of their convictions involved official misconduct, including:

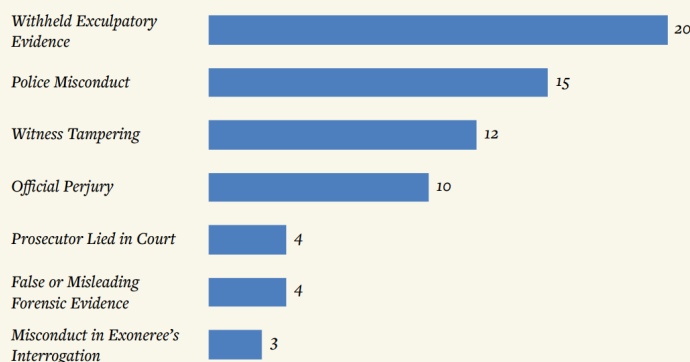


Photo credit: "Overturning convictions, and an era; Phila CIU report 2018-2021."

THE IMPORTANCE OF FILING A POLICE INTERNAL AFFAIRS COMPLAINT IF POLICE COMMITTED MISCONDUCT IN YOUR CASE

By: Teri B. Himebaugh
PTP Executive Director

It is well established law that the Commonwealth's withholding of evidence that is material to the determination of either guilt or punishment of a criminal defendant violates the defendant's constitutional right to due process under the 14th Amendment. *Brady v. Maryland*, 373 U.S. 83 (1963).

The Commonwealth's duty to disclose specifically includes officers/detectives' misconduct histories. Common examples of misconduct which must be disclosed includes the officer/detectives' violation of police directives, use of threats, verbal and physical abuse and fabrication/manipulation of evidence.

In *Steven Lazar v. The Attorney General of the State of Pennsylvania, et al*, U.S. District Court, E.D. Civil Action No. 14-6907, the Court held that:

... the suppressed, favorable evidence of (the detectives) misconduct is material, such that it would have "undermine[d] confidence in the outcome of the trial," in part because (the detective's) testimony was so critical to the Commonwealth's case. *Dennis*, 834 F.3d at 285 (quoting *Kyles*, 514 U.S. at 434). Favorable evidence may include exculpatory as well as impeaching evidence, and evidence used to "attack ... the thoroughness and even the good faith of the investigation." *Kyles v. Whitley*, 514 U.S. 419,445 (1995).

When a defendant/witness has a complaint about an officer/detectives' conduct, it is important that they file a complaint with Police Internal Affairs (IAD). The complaint is investigated and if the findings are 'sustained' after multiple levels of review, including by the Police Board of Inquiry (PBI), those sustained findings then become part of the officer/detectives official misconduct history.

IAD complaints and their findings are not however available to the public, defendants or even to defense counsel unless the DA's Office issues a Brady/Giglio Disclosure (BGD) notice.

Prior to DA Larry Krasner taking office, a defendant in Philadelphia would rarely receive a BGD advising that one or more of the officers on the case had a history of sustained misconduct.

Now, however, BGD's are being regularly provided by the Philadelphia DA's Office to defendants and their counsel.

[SEE COMPLAINT PAGE 3](#)

Call to Action: PTP Former Witness Survey

Were you or someone you know questioned as a witness to a crime by the Philadelphia police department after 2017?

Complete our video interrogation study survey to have your voice heard!

Visit our website's [research page](#) to learn more about PTP's current research initiatives.

COMPLAINT PAGE 2

As a result, BGD's have become the primary evidentiary basis for 'new' evidence PCRA petitions asserting *Brady* violations. The vast majority of BGD's relate to sustained Police Internal Affairs (IAD) complaints.

Allegations of police misconduct contained in a PCRA petition are NOT routinely referred by the DA's Office for investigation by IAD. That means that unless the defendant/witness alleging the misconduct also makes a formal IAD complaint, there will be little to no chance that the officer/detectives' misconduct will result in a BGD being issued. *Without the issuance of a BGD, the officer/detectives' misconduct often goes entirely undisclosed* despite *Brady*.

If you are alleging that a police officer/detective has committed misconduct in your case, *speak to your attorney* about filing an IAD complaint. Your complaint, if sustained, could help obtain you relief and may also help countless other defendants whose cases were negatively affected by similar police/detective misconduct.

HOW TO FILE AN IAD COMPLAINT

You can file a complaint with either of the following:

- The Citizens Police Oversight Commission who will document and forward it to Philadelphia Police IAD at: <https://www.phila.gov/documents/feedback-forms>

The completed form should be mailed to the Citizens Police Oversight Commission 1515 Arch Street 11th floor, Philadelphia, PA 19102 or electronically filed at cpoc@phila.gov.

- The Philadelphia Police Internal Affairs Division: <https://www.phillypolice.com/forms/official-complaint-process/>

The completed form can be electronically filed or mailed to Police Headquarters, Internal Affairs Division, 400 N. Broad St. Philadelphia, PA 19130.

WHAT YOU SHOULD KNOW ABOUT IAD FINDINGS

- Unfounded - The investigation determined the alleged act did not occur.
- Exonerated - The investigation determined the alleged act did occur, but the act was lawful and within PPD policy.
- Not sustained - The investigation could not determine, based on the evidence, whether the alleged act did or did not occur.
- Sustained - The investigation determined the alleged act occurred and was not within PPD policy.

Only sustained allegations move forward to the disciplinary process which can include a PBI hearing.

At a PBI hearing, the PPD's Department Advocate acts as a prosecutor and presents the case against the officer to a

tating panel of three sworn PPD members of varying ranks.

The accused officer is represented by an attorney from the FOP, who serves as a defense attorney, and argues why the officer is not guilty and/or why they should not be disciplined.

After a PBI hearing, the board members vote by 2-3 majority to determine whether the officer is guilty or not guilty of the charge brought against them. If they find the officer guilty, they must make a unanimous discipline recommendation in accordance with the penalty range for the charge. The Police Commissioner reviews the guilty/not guilty finding from the PBI board and discipline recommendation (if applicable) to make the final decision.

Between 2015 and 2020, 76% of cases were resolved with "training and counseling." In 2022, only 34.9% of cases were resolved with training and counseling which is **not** considered 'discipline'.

Source: POLICE BOARD OF INQUIRY, SEPTEMBER 13, 2023 REPORT.

Research at PTP; Dr. Christopher Chapman, Expert Report on Pattern and Practice

In the pursuit of justice, while data collection is undeniably crucial, it is only the starting point. The true depth of understanding and meaningful action emerges through thorough examination and presentation of findings based on that data. It is the subsequent research studies, the meticulous analysis, and the presentation of findings that truly illuminate the path towards evidence-based policy reform.

The recent research study conducted by Dr. Chapman, as part of The Police Transparency Project, goes beyond mere data collection. It delves into the intricate workings of coercive interrogation tactics, shining a spotlight on their alarming link to wrongful convictions.

In this comprehensive expert report, Dr. Chapman dissects the disturbing trend of coercive interrogation tactics employed by detectives. His analysis uncovers the inherent flaws in interrogation methods, revealing how these tactics can lead to false confessions and, ultimately, miscarriages of justice.

As you navigate through the report, you'll encounter key terms such as "Noble cause corruption," which can be defined as the "corruption committed in the name of good ends, governmental actors utilizing unjust coercion to bring about a perceived good outcome and the extent to which it is reasonable to use 'dirty' means to achieve 'noble ends'."

[SEE RESEARCH PAGE 6](#)

UNCONSTITUTIONAL PAGE 1

I was then finally allowed to use the restroom. Pitts came back and told me to recite the statement again (on video). I refused and he grabbed me while pointing in my face to read the statement. They set up this video equipment and Pitts made me say it all over again.

That fabricated and coerced statement served as a primary evidentiary basis for Ms. Dennis conviction. Ms. Dennis is, unfortunately, not alone in experiencing this same type of misconduct during police interrogations. Nor is this type of misconduct limited to just a couple of Philadelphia Homicide detectives.

The Police Transparency Project has documented hundreds of cases evidencing an ongoing unconstitutional interrogation pattern and practice within the Philadelphia Police Homicide Unit.

This pattern and practice includes the following behaviors:

- **Targeting of the vulnerable:** The detective(s) target individuals who they perceived to be “weak” such as juveniles, elderly, injured, females, mothers, intellectually limited, etc.;
- **Isolation:** The detective(s) hold the witnesses/suspects for long periods of time in an interrogation room. Their requests for attorney, family, food, bathroom are often denied;
- **Threats:** The detective(s) threaten to send witnesses/suspects and/or their family members to jail, take away their children, their homes, and their businesses, etc.;
- **Verbal Abuse:** The detective(s) refer to the witness/suspect (and his/her family/friends) in a vulgar, prejudicial and/or demeaning manner;
- **Physical Abuse:** The detective(s) use various forms of force including but not limited to slapping and punching the witnesses/suspects, inappropriately and/or violently touching their genitals, throwing them against objects or into chairs, etc.;
- **Manipulation/Destruction of Evidence:** The detective(s) move, alter, or lose physical evidence and on occasion, cash that had been in a witness/suspects possession;
- **Intentional Failure to Document Information:** The detective(s) do not document information and/or witnesses which they either do not personally believe or which does not fit their theory of the case;
- **Supplying Material Information to Witnesses:** The detective(s) provide either a blank or pre-written statement to the witnesses or supply important pieces of information, often by showing them other people’s statements. Sometimes this is accompanied by promises of money (up to \$20,000), lesser sentence, release, or other benefit if the wit-

ness/suspect ‘cooperates’;

- **Demanding a Signature to Obtain Release:** The detective(s) demand that the witness/suspect sign the false statement in order to be released and/or not charged.

For more information about specific detectives/officers and their use of this unconstitutional interrogation pattern and practice, please visit the PTP Database at www.thepolicetransparencyproject.com.

Call to Action: IAD Filing

Were you or a witness in your case physically or verbally abused, threatened and/or coerced by Philadelphia police into signing a statement that was either not truthful and/or contained information that didn’t come from the witness/you? Were you denied counsel when requested? Were you or a witness promised payment in exchange for your/their cooperation?

If so, we are urging you/the witness to file a complaint with the Philadelphia Police Internal Affairs Unit. *See the related article featured in this newsletter, located on [page 2](#).*

Filing an Internal Affairs Complaint is an important step in ensuring that the Philadelphia Police Department and the DA’s Office are aware of and acts on this type of abuse. It also helps develop potential evidence that must be disclosed to defendants pursuant to *Brady v Maryland*.

Samantha Seely

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POLICE TRANSPARENCY PROJECT

**Your contribution matters
— donate now!**

The Police Transparency Project operates as an official 501C3 non-profit organization and is entirely funded by the community.

Please consider donating any amount. Your tax-deductible donation will play a crucial role in enabling us to employ more staff and continue advocating for transparency and police accountability through our research and legislative initiatives.



WHITE RABBIT PAGE 1

As Neumann and his partner, William Marimow, pieced together his story, Neumann found himself increasingly threatened by a posse of “goon squad” cops who tapped his phone, broke into his apartment, and even resorted to physically assaulting him to keep the misconduct from getting out and reaching the public. Their Pulitzer Prize-winning expose in 1978 exposed serious misconduct at the core of the Philadelphia Police Department. Fifteen officers were indicted for acts of brutality, sparking outrage and prompting the creation of a special unit to prosecute police misconduct. Yet, this was just the tip of the iceberg.

Their investigation unearthed hundreds of pretrial hearings tainted by illegal interrogations, leading to the dismissal of over eighty cases. The Roundhouse, once a symbol of law and order, became synonymous with brutality as victims were hospitalized from beatings at the hands of Philadelphia detectives.

The repercussions of their work were felt far beyond the city limits. Their findings thrust Philadelphia into the national spotlight, exposing a pattern of abuse that had long been swept under the rug. But the true cost of this misconduct would only become apparent in the years that followed.

Pennsylvania now holds the dubious distinction of having the highest number of people serving life sentences in the US. This is a stark reminder of the systemic failures that have plagued its criminal justice system. Philadelphia has faced a reckoning, with 44 wrongful convictions and exonerations in recent years, and many more cases under scrutiny.

The ramifications of these wrongful convictions are profound, not only for

the individuals who have been unjustly incarcerated but also for the families of the victims who have been denied closure. Millions of dollars have been paid out in civil lawsuits, but the damage done is immeasurable.

For the families of the victims, the pain of knowing that the true perpetrators remain at large is a burden that no amount of compensation can alleviate. Cases must be reopened, investigations reinvestigated, as the search for truth and justice continues.

Annual Fundraiser Event:
Join us for a Virtual Movie Screening and Community Discussion
May 15 6-9pm

Join us for a thought-provoking virtual movie screening of Showtime’s depiction of the events leading to Neuman’s Pulitzer Prize article in “The Thin Blue Lie,” followed by a group discussion, as we delve into Philadelphia’s uniquely

tumultuous police misconduct history, a narrative that sadly persists even today.

Through this event, we aim to shed light on the deep-seated issues within our city’s criminal justice system and spark meaningful dialogue about the path forward. Together, we will watch a gripping film that uncovers the realities of police abuse and misconduct in Philadelphia, drawing parallels between past and present injustices.

Following the screening, we will come together for a virtual group discussion, providing a platform for voices to be heard, experiences to be shared, and ideas to be exchanged. Let’s confront the challenges head-on, learn from our history, and work towards building a future where accountability, transparency, and justice prevail.

Don’t miss this opportunity to be a part of the conversation and drive positive change in our community. Join us for an evening of enlightenment, empowerment, and action.



**Ignite change and pave the way for
criminal justice reform.**

**WHY DOES THE PAST REPEAT
ITSELF?**

Register for the virtual movie screening of “The Thin Blue Lie” by emailing your name and “community movie night” to office@thepolicetransparencyproject.com.

Upon registering for the event you will receive links to watch the movie, as well as several discussion questions that we will use directly following the movie in a virtual community meeting on Zoom.

This event is **FREE** to attend, however donations of any amount are encouraged.

WHEN: Wednesday May 15th from 6-9pm

Follow The Police Transparency Project on Instagram for event details.

RESEARCH PAGE 4

Other key terms include “psychological coercion” and “Reid interview/Interrogation tactics” which can be defined as “police methods that sequentially manipulate an individuals’ perception of a situation, expectations for the future, and motivation to shift from one position to another” and “techniques utilized by police to generate witness statements and/or suspect confessions.”

To read the [expert report](#) in its entirety we invite you to visit The Police Transparency Project website. Here, you can access the report, and draw your own conclusions and insights relating to the complexities of coercive interrogation tactics and their repercussions on justice.

Dr. Chapman’s report critically assesses the interrogation processes widely used by police officers outside of just PA.

When you read the report and engage in critical conversations, you become an active participant in the ongoing dialogue surrounding police transparency and reform.

In a society where trust in law enforcement is paramount, it is imperative to scrutinize and challenge practices that undermine the integrity of justice. Through collective action and unwavering commitment to transparency, we can strive towards a system where justice prevails, and wrongful convictions occur less often.

The Police Transparency Project’s 5 Part Continuing Legal Education Series is Now Accredited with PACLE

This CLE Series Features:

- ☑ New Evidence, related to prosecutorial and police unconstitutional pattern and practice
- ☑ Brady, Napue, and Giglio Claims
- ☑ PCRA & Federal Habeas
- ☑ Monell Claims

[Sign up for our CLE Series on our website!](#)

From Passion to Action: Find Your Place in Our Volunteer Committees

In the fabric of every community lies the potential for transformative change. Today, we extend our hand to you, inviting you to join The Police Transparency Project (PTP) in our collective pursuit of justice and accountability within the criminal justice system.



At PTP, we believe that grassroots efforts are the cornerstone of meaningful reform. As such, we are excited to introduce our targeted volunteer committees, each offering a unique opportunity to contribute your skills and passion towards building a more transparent and equitable society.

Visit the [“volunteer” page](#) of our website to learn more about are targeted volunteer committees and the proposed tasks and goals for each committee.

We believe that each volunteer brings a unique skill set and experience to our team. Whether you are interested in Database management, Community Outreach, Fundraising, Research or Legislative reform PTP has volunteer opportunities waiting for you.

Data Analysis & Research: Through meticulous research and data-driven analysis, we pave the way for informed decision-making and lasting change. Dive deep into the heart of data to uncover insights that drive evidence-based advocacy and policy reform. Volunteers will utilize their analytical skills to dissect law enforcement practices, scrutinize policies, and identify areas for improvement.

Legislative Reform: For those with a passion for legal advocacy and policy change, PTP offers a platform to enact tangible reform through legislative action and policy drafting. Join forces with legal experts to challenge unjust practices, advocate for systemic change, and shape the legal landscape towards greater fairness and accountability.

Fundraising: The Fundraising Committee plays a vital role in ensuring PTP’s financial stability and growth. Volunteers oversee the development and implementation of our fundraising plan, identify external sources of support such as sponsors, grants, and employer match programs, and work to cultivate lasting relationships with donors and supporters.

Community Outreach: Community Outreach and Social Media engagement play a crucial role in connecting PTP with the broader community. Through a combination of in-person events, media outreach, and targeted mail campaigns, this committee works to expand PTP’s network, raise awareness about our mission, and increase our name recognition.

As we embark on this journey towards a more just and transparent future, we invite you to lend your voice, skills, and passion to The Police Transparency Project. Together, we can rewrite the narrative of justice and create a society where accountability and equity reign supreme.

Join us in this movement for change. Together, we are unstoppable.