

REPORT AND ANALYSIS OF
MUSLIM MOSQUE INCIDENT
OF APRIL 14, 1972

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INTRODUCTION

On April 14, 1972, Police Officer Phillip Cardillo, Shield #26620, 28th Precinct, received a fatal gun shot wound after responding on a Code Signal 10-13 to the Muslim Mosque, 102 West 116th Street, Manhattan. He expired on April 20, 1972.

This factual report has been prepared for the purpose of consolidating in one document all events surrounding this tragedy and to relate, in summary form, the investigation undertaken, the results obtained to date and the investigative areas still to be explored. Factual information in the report is based upon Department records and actual interviews and statements of individuals on the scene. Included will be comments concerning criticisms levelled at the Department from various sources.

In an effort to make this report as accurate as possible, the following steps were undertaken:

- a. Superior officers who were not originally involved in the incident or the immediate investigation were chosen to conduct a complete review of the case. (In this connection, appreciation is expressed to Deputy Chief Jules Sachson, Detective Borough Manhattan; Deputy Chief William Connelie, Field Services Area Manhattan North; Captain Daniel McMahon, Sixth Detective District; and Lieutenant Edward O'Connor, Sixth Detective District Homicide/ Assault Squad, all of whom devoted sincere energy and enthusiasm to the task. *+ to DI David*)
- b. All police officers, directly or indirectly involved, with a few exceptions, were again questioned and statements taken.
- c. Evidence initially obtained was reviewed and department records examined.
- d. Photographs taken by the news media of the scene and the ensuing disorder were viewed and studied.
- e. Conferences were held with representatives of the New York County District Attorney's Office.

- f. Re-interviews were conducted of witnesses and others, including those members of the Mosque available to the investigators.
- g. New leads were explored and expanded.

The Mosque (Muhammed University of Islam) is a three story building located on the southwest corner of West 116th Street and Lenox Avenue (28th Precinct). The ground floor is occupied by stores fronting on both Lenox Avenue and West 116th Street. The entrance to other portions of the building is at 102 West 116th Street, the westerly end of the building. Entrance is gained by going through a double set of doors into the reception area and main hallway. Access to the basement and upper floors can be gained from this hallway and, in the rear thereof, there is also an entrance to the Shabazz Restaurant. The second floor, accessible from the hallway either via a stairway or elevator, is comprised of classrooms. The third floor, similarly accessible, is the actual location of the Mosque Temple. The basement is a large area wherein a few classrooms have been situated.

This description of the building and the following sketch are intended to clarify references made throughout this report.

(See Following Page)

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1st FLOOR OF MOSQUE

3-30-73

PTL VITO T. NAVARRA SH.28488



EXIT DOORS FROM BASEMENT

BASEMENT

REST.

DINING AREA

Basement

DOWN

RESTAURANT ENTRANCE

RESTAURANT

UP

ELEVATOR

DESK

BOOK STORE

LENOX AVE.

GLASS DOORS

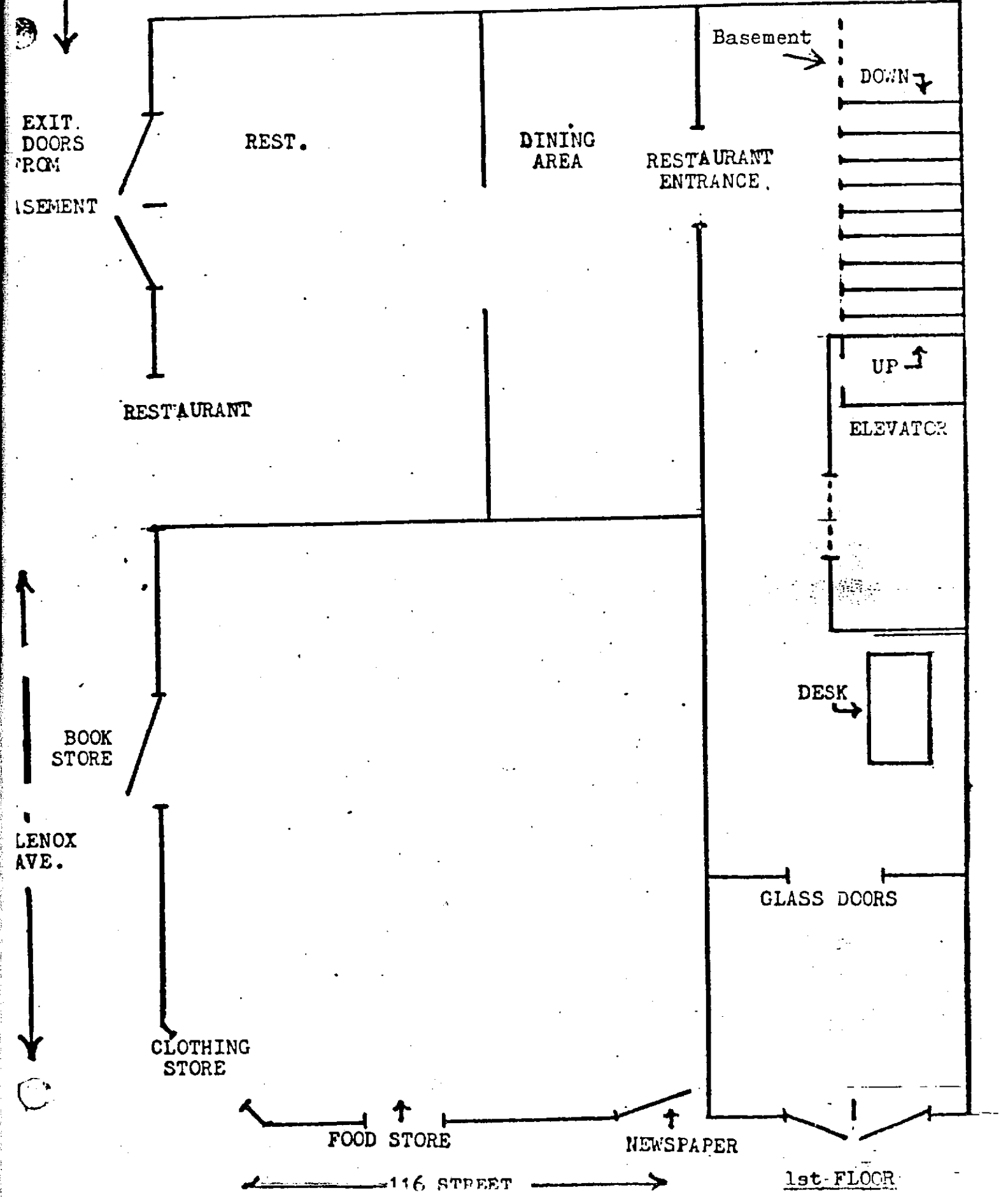
CLOTHING STORE

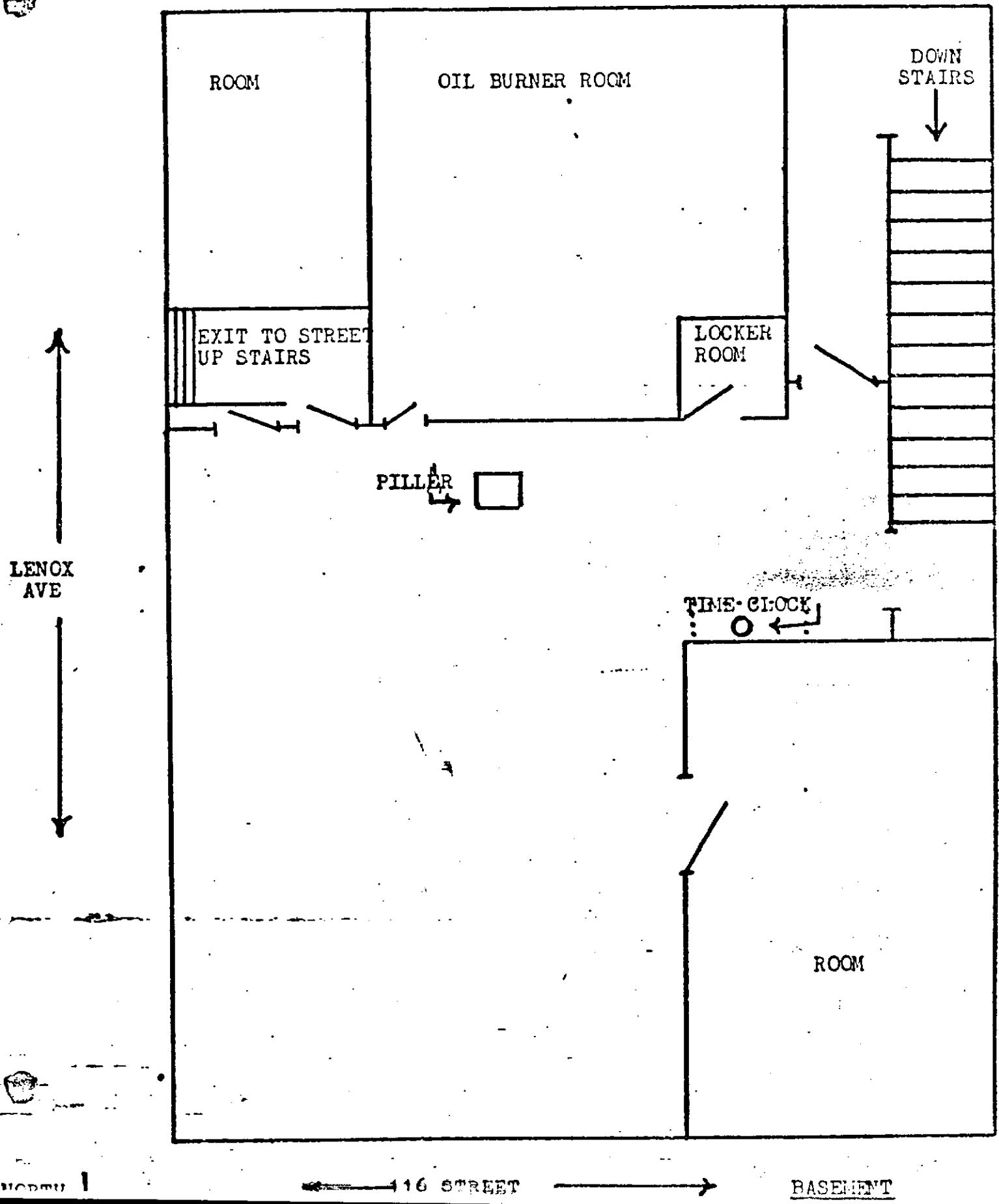
FOOD STORE

NEWSPAPER

116 STREET

1st FLOOR

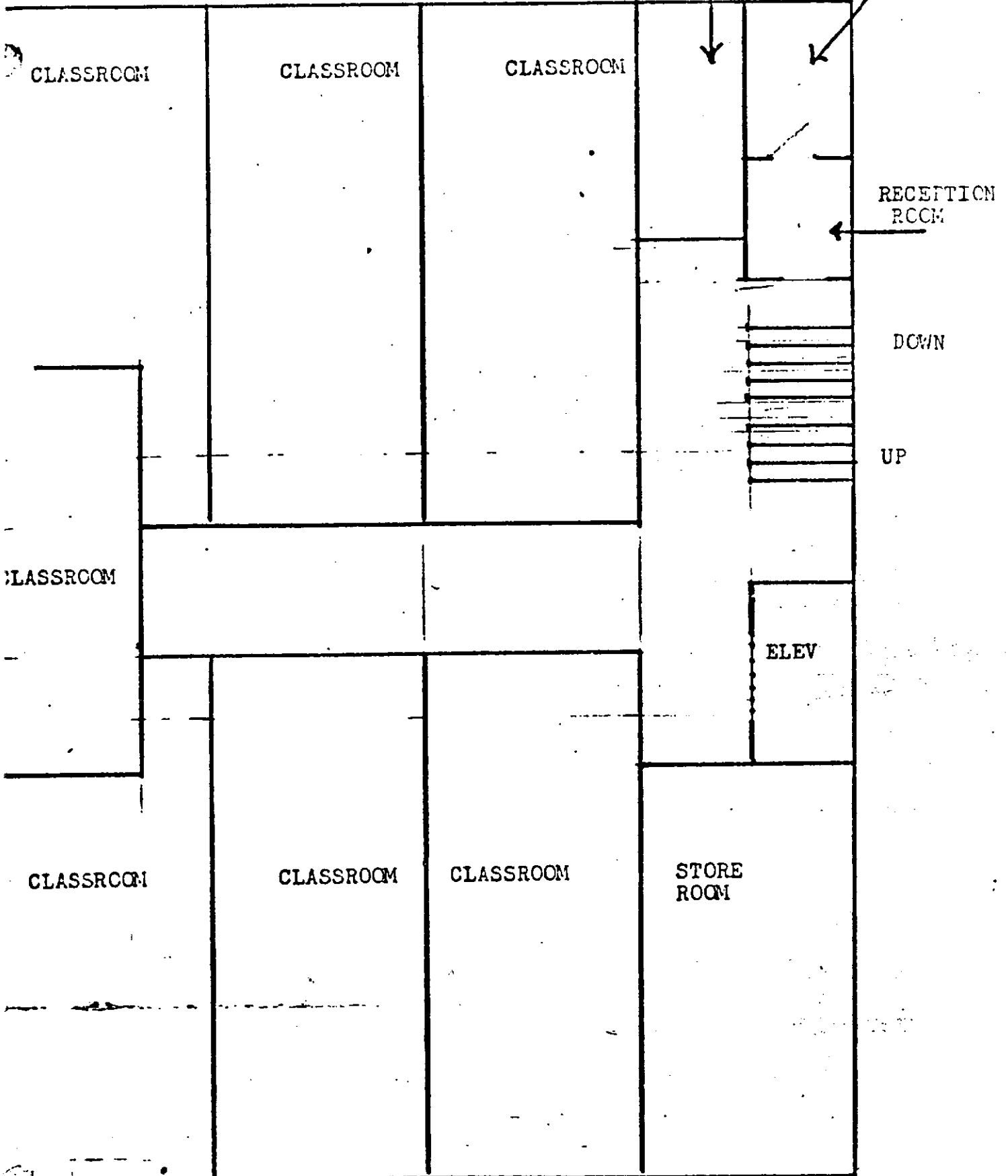




2nd FLOOR

CLERICAL STAFF

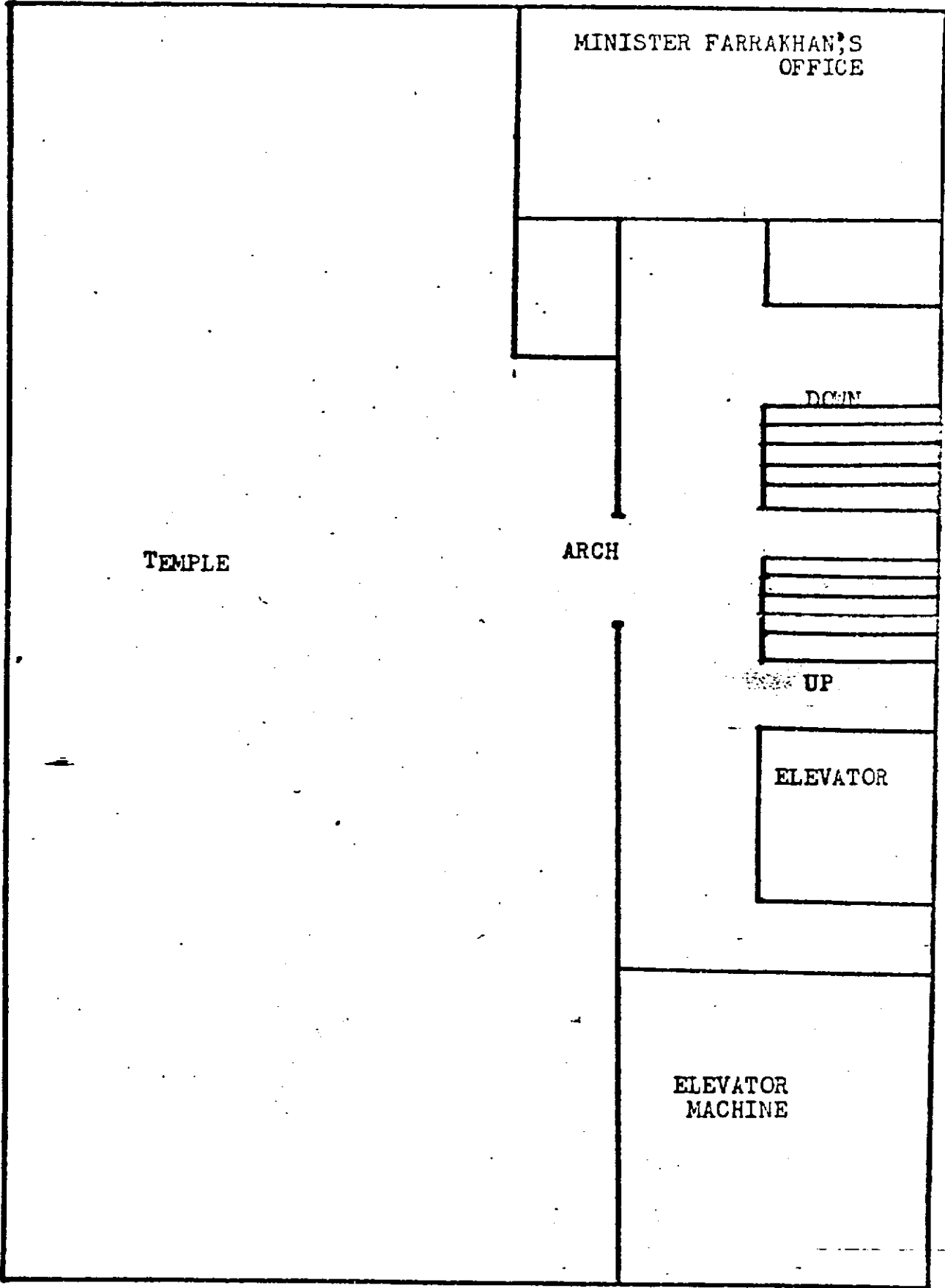
DIR. CLARKE'S OFFICE



116 STREET

2nd FLOOR

3rd TOP FLOOR



3rd FLOOR

In addition to serving informational purposes, it is to be hoped that this undertaking will provide stimulus and direction to the continuing investigation and that further final, positive results will follow.

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JAMES F. HANNON
Assistant Chief

PART I

CHRONOLOGY OF EVENTS SURROUNDING THE SHOOTING OF
POLICE OFFICER PHILLIP CARDILLO

Detailed hereinafter is a chronology of events at the Mosque as related by police officers concerned, or as verified by department records. Where ambiguity or conflict exists, notation is made.

- a. At 1142 hours, April 14, 1972, a Code Signal 10-13 was transmitted by the Communications Division as the result of an anonymous telephone call received by Police Administrative Aide Richard Lesko. The caller stated, "This is Detective Thomas, 28th Precinct. I have a 10-13 at 102 West 116th Street." Police Administrative Aide Lesko, asked, "What Floor?" The caller stated, "Second floor" and then hung up. (Transcript of this telephone conversation appears as Appendix "A")
- b. As a result of this radio transmission, the following members and units responded to the scene in the approximate sequence indicated:

	<u>Police Officer</u>	<u>Shield</u>	<u>Pct.</u>	<u>Unit</u>	<u>Assign.</u>
(1)	Phillip Cardillo Vito Navarra	26620 28488	28 do	1965 do	Sector G do
(2)	Ivan Negrón Victor Padilla	21020 29539	25 do	2159 do	Sector D do
(3)	Dennis Mendziak Michael Green	26741 14554	28 do	2288 do	Sector A & B do
(4)	Michael O'Connell	26766	do	Scooter #878	Post #1
(5)	Joseph Farino Peter Rocco	21110 30571	28 do	2334 do	Sector F do
(6)	Sgt. John Burge Edward Golden	1550 9632	28 do	1391 do	Supervisor Operator

Arriving on the scene just as most of the above were pushed out of the Mosque and the door bolted were:

(7)	Rudy Andre	19585	28	1690	Returning From Shop #1 Solo
(8)	Francis Crowe	11647	28	1250	do
(9)	John Elter	25539	ESS #2		
	Kenneth Jacques	4265	do		

Arriving at the phase of re-entry to the Mosque were:

(10)	Sgt. John Hall*	568	28		Supervisor 28 Pct. Anti-Crime
	Raymond Sabel*	26469	do		28 Pct. Anti-Crime
	John McCarthy*	24597	do		do
	Clifford Stately*	30629	do		do

* In civilian clothes

Arriving shortly after members re-entered the Mosque were:

(11)	D.I. Richard DiRoma+		6th Div.		Administrator
	Edward Devlin+	2884	do		Clerical
	Richard Dandurand+	29276	25 Pct.		
	Donald Johnson+	18340	do		

+ All in 25th Precinct R. M. P. while surveying a parade route.

c. Police Officers Navarra and Cardillo, the first officers to enter the Mosque, acknowledged the Code Signal 10-13 while at West 116th Street and 7th Avenue, Manhattan, travelling eastbound. They responded directly to the location, parked and locked the radio car, and proceeded into the Mosque, Police Officer Cardillo was carrying a clipboard. Neither officer took his nightstick.

- d. As they entered, they observed Police Officers Padilla and Negrón at the southwest corner of West 116th Street and Lenox Avenue walking towards the Mosque, also responding to the Code Signal.
- e. Navarra entered the Mosque first, followed by his partner Cardillo. Inside the reception area, Navarra attempted to make inquiry of a male receptionist as to whether or not there were any policemen in the building. Navarra stated that the receptionist turned his back, ignoring the officers and spoke on the telephone. Six or seven other apparent Muslims in the vicinity of the reception desk also ignored the officers. At that time, Navarra heard what he thought were sounds of a scuffle coming from the 2nd floor. He immediately bounded up the stairs to that location, where his presence was met by a number of Muslims forcing him back down the stairs. Navarra estimated that this group totaled 10 to 12 men. Aware now that Cardillo had not followed him and hearing sounds of a scuffle on the main floor, he turned and ran down the stairs. (It appears that Cardillo's natural reaction to accompany his partner to the 2nd floor was blocked by the six or seven Muslims at the reception desk.)
- f) While Navarra was on the 2nd floor, Police Officers Negrón and Padilla entered the Mosque. They observed Cardillo (now deceased) attempting to push past a group of Muslims blocking his way. Cardillo shouted, "My partner is upstairs!" Negrón and Padilla joined Cardillo in attempting to push past this group. Padilla told one of the Muslims to "Bring the cop down or let us go up and get him." They refused and kept shoving the officers towards the door.
- g) Arriving inside the Mosque now were Police Officers Mendziak, Green, O'Connell, Farino and Rocco, and Sgt. Burge and his operator, Police Officer Golden. Sgt. Burge and Officer Farino observed the verbal confrontation and shoving in the reception area. Farino took Cardillo's arm and stated, "Come on let's get out of here, we've been here before and you know what happens." Cardillo responded, "My partner is upstairs." The Muslim group in this area had now grown to approximately 15 persons. Simultaneously Sgt. Burge told one of Muslims in the group confronting him

that all he wanted to do was to conduct an investigation on the second floor to see if a fellow officer required assistance. He was told he could not, and to get out of the building. The sergeant grabbed the arm of the person to whom he was talking. This brought an immediate grunt and yell from the group which began to move forward. One of the Muslims hit the sergeant in the head with his fist. Immediately the group charged the sergeant and the officers, punching and shoving them out of the outer door of the Mosque. The sergeant yelled for someone to radio for assistance. Feeling that he was the only one left inside the Mosque, the sergeant backed out of the door, which was slammed and locked shut from the inside. During the encounter inside the Mosque, Navarra came down the stairs and was caught between the two groups of Muslims. He was knocked to the floor, but managed to crawl out and leave, before the door was shut and locked.

h. Left inside the Mosque were:

- (1) Negron
- (2) Padilla
- (3) Cardillo

- i. Negron, carrying a portable radio in his left hand and defensively swinging a blackjack in his right, was engulfed by the group inside and knocked to the floor. He lost both radio and blackjack. He saw Padilla knocked to the floor also. While Negron was on the floor, the group made three different attempts to remove his holstered revolver, but he held on to it with both hands and was successful in preventing his assailants from removing it. (The portable radio was later recovered at the scene, but Negron's blackjack disappeared and was never found.)
- j. While on the floor, Negron heard two or three shots being discharged, causing his assailants to disengage and run towards the rear of the building. Investigators, in further pursuing this phase, could not positively

determine if these shots were fired inside the Mosque or into the Mosque.

- k. Negron observed some Muslims on top of Cardillo and Padilla. One man, wearing a blue jacket, got off Cardillo holding a gun in his hand. Negron fired three shots at him as he ran to the rear. He did not believe he hit the man. More shots were now fired but by police from outside the Mosque. He heard yells to open the door. Negron unbolted the door, permitting entry of Sgt. Burge and the other officers. Cardillo and Padilla were lying on the floor, both bloodied.
- l. Padilla, who had originally entered the Mosque with Negron, had been knocked to the floor. While on the floor, three of the Muslims held him down and attempted to remove his holstered gun, shield and slapper jack. He fought back and was hit in the face with what he described as a blackjack by one of the Muslims who were attempting to remove his revolver. (The blackjack used may be Negron's which was never recovered.) He became semi-conscious and the revolver was taken from him. He attempted to regain his feet and fell again. At this time he heard three shots and glass breaking. He could not determine if the initial shots were fired inside or from outside the Mosque. His revolver was never recovered.
- m. Cardillo had also been knocked to the floor and assaulted. He received a gunshot wound of his right side during this attack, the bullet exiting from his left side. His service revolver was later recovered in the reception area with one spent bullet.
- n. Pushed outside the building were:
 - (1) Sgt. Burge, and Officers:
 - (2) Navarra
 - (3) Golden
 - (4) O'Connell
 - (5) Farino
 - (6) Rocco
 - (7) Mendziak
 - (8) Green

- o. Police Officers Crowe and Andre arrived as the group was pushed out of the Mosque.
- p. Police Officers Jacques and Elter, both in Emergency Service Division, responded to the Code Signal and arrived as the above listed officers attempted to re-enter the Mosque. Advised that officers inside were injured, they removed an axe and Kelly tool from their vehicle to gain entry through the door. (As they returned, they observed the precinct personnel entering the Mosque.)
- q. Crowe, on the outside, looked through the small square glass window located in the upper part of one of the two metal front doors. He observed a group of Muslims beating and kicking the prone figure of a fellow officer. O'Connell also looked through the glass windows and saw two separate groups of Muslims beating and kicking prone figures of two uniformed officers.
- r. Navarra also similarly observing the continued attack on the officers, broke a glass panel on the left entrance door and fired two shots over the heads of the assailants. Andre broke the right panel and fired three shots, with the warning from the other officers to fire high in order to avoid striking a fellow officer within. Golden, also on the outside, stated that prior to any discharge of weapons by the officers into the Mosque, he heard gunshots from within.
- s. With the firing of the shots by the officers outside, the Muslims almost immediately retreated from the reception area. Negron, from within, unlocked the front metal doors. Sgt. Burge went to Cardillo's aid. The other officers, led by O'Connell and Crowe pursued the fleeing group into the basement, where approximately sixteen (16) were located, frisked and detained. Navarra momentarily stopped to check on Cardillo's condition. He was re-assured with a nod from the now deceased Cardillo, but noticed that the officer's weapon was missing from its holster. He then went to the basement to join the other group.

PART II

CHRONOLOGY OF EVENTS IN MOSQUE AFTER THE SHOOTING

With the re-entry of police into the Mosque and the detention of approximately 16 persons in the basement therein, attention was immediately directed to the injured officers. D.I. DiRoma had arrived in civilian clothes, along with three officers, as Padilla and Cardillo were being carried to R. M. P. autos for removal to St. Luke's Hospital. Also present now was Sergeant Hall and three Anti-Crime officers in civilian clothes. The following events then transpired:

- a. Sergeant Burge was directed by D.I. DiRoma to accompany the two injured officers to the hospital. Sergeant Burge never returned to the scene that day.
- b. Of the group of officers who re-entered the Mosque, O'Connell and Crowe had pursued a group of Muslims to the rear and into the basement. (The physical layout of the Mosque indicates a door opposite the stairway to the basement. This door leads to the cafeteria and, in turn, to the street. It was not determined if any of the fleeing Muslims ran through the cafeteria to the street.)
- c. Both O'Connell and Crowe, in searching the basement for suspects found a classroom containing 10 or 12 youngsters (students) and two females wearing white nun habits. Crowe checked the exit up through to the sidewalk to Lenox Avenue and satisfied himself that no one had used this means to escape. O'Connell went upstairs to get someone to escort the women and students out.
- d. Approximately 16 persons were rounded up in the basement and detained in the large area of the basement proper. One was seated at the base of the stairwell nursing an injured head; the others were detained against the wall, emptying their pockets on the floor beside them.

- e. It was evident at that time that Padilla's revolver was missing. Officers cautioned one another of this missing revolver in conducting their initial search of the entire building, including the basement and roof.
- f. Efforts were initially made to separate the detained persons from others in the Mosque.
- g. The following superior officers, in addition to those previously mentioned, arrived at the Mosque in the approximate sequence indicated:
 - (1) Retired D.I. John Haugh, then C. O. 28 Precinct
 - (2) Retired D.C.I. William Knapp, then Administrator,
P. B. M. N.
 - (3) Captain Walter Jones, Supervisor of Patrol,
P. B. M. N.
 - (4) Retired A. C. I. Ferdinand Catalano, then C. I.'s
Office
 - (5) Retired Lt. Arthur Young, then C. O., 6 DD H/A Sqd.
 - (6) Sergeant James Quinn, 28 Precinct Anti-Crime
 - (7) Retired A. C. I. John Kinseia, then C. O., D. B. M.
 - (8) D. I. Richard Nicastro, then Robbery Coordinator,
D. B. M.
 - (9) Lt. Hugh Ferguson, then aide to Robbery Coordinator,
D. B. M.
 - (10) A. C. I. Michael Lonergan, then C. O., P. B. M. N.
 - (11) A. C. I. Thomas Mitchelson, then Inspector, C. O.
6th Div.
 - (12) Lt. Calvin Boxley, 6 Division Community Relations
 - (13) Former Deputy Commissioner Community Affairs
Benjamin Ward
 - (14) Former Deputy Commissioner Public Affairs
Robert Daley
 - (15) Retired Chief of Detectives Albert Seedman
 - (16) Captain Bernard McCann, then Chief of Detectives Office
 - (17) Captain Leonard Spatz, Scientific Research Division
- h. D. I. Haugh, then in command of the 28th Precinct arrived at the Mosque and entered the basement. D. I. DiRoma conferred with him, left the building, returned to his command for his uniform and later returned to the scene. Although D. I. DiRoma was the first ranking superior at

the scene, he felt that D.I. Haugh was the precinct commander and should assume the responsibility of the investigation.

- i. To prevent mingling of the detained persons in the Mosque, D.I. Haugh directed that the detainees in the basement be seated in chairs. However, with the arrival of Minister Farrakhan and Congressman Charles Rangel, other Muslims entered the basement screaming invectives at the officers and demanded the removal of all police officers from the Mosque. Some were seen by officers to replace those seated on chairs. Guarding police officers corrected the situation, but co-mingling became evident as the crowd in the basement area increased.
- j. Of the approximate 16 persons detained in the basement, the following were initially removed to Harlem Hospital and subsequently taken to the 24th Precinct for investigation:

- (1) Louis DuFree, M-N-32, B#518778, 102 West 116 Street, Manhattan (The Mosque)
AKA Brother Louis, Louis 17X
(Arrested by Negrón)
- (2) Bobby Hopes, M-N-28, B#659203, 1060 Anderson Avenue, Bronx. Apt. 2
AKA Brother Bobby, Bobby 9X
(Arrested by Navarra)

(See Appendix "B" for details of arrests and Indictments)

- (3) William Morris, M-N-32, 224 West 116 Street, Manhattan, Apt. 3E. (Released)
- (4) Anthony Peterson, M-N-15, 1980 7th Avenue, Manhattan, Apt. #18 AKA Brother Anthony, Anthony 15 X. (Released)

NOTE: Thomas Beech, M-N, 954 Wilson Blvd., Central Islip, L. I. (Injured in the Mosque proper was removed to Harlem Hospital. He signed himself out of the hospital and was not at the 24th Precinct Station House.)

- k. Initially, a search of the building was undertaken by uniformed personnel, seeking the missing revolver and possible perpetrators. As detectives arrived, a systematic search was organized and conducted under the supervision of Lieutenant Young. Detectives entering the Temple on the top floor were obliged to remove their revolvers and leave them in custody of other police officers. Detective Frederick Capel, Shield #736 and Detective Alfred McPherson, Shield #2638, both black and both assigned to the 6th D. D. H/A Squad, searched the Temple proper, while accompanied by a member of the Mosque, with negative results.
- l. Investigators, endeavoring to determine whether or not the persons being detained in the basement included the possible perpetrator of the shooting of Cardillo, closely questioned police officers in this regard. It was determined:
- (1) Though most of the Muslims ran to the rear stairway leading to the basement, a door leading to the cafeteria and then to the street was directly opposite the stairwell. Anyone or any group running to the rear could have entered the restaurant and made his escape into Lenox Avenue.
 - (2) No weapon was found on any of the 16 persons detained in the basement.
 - (3) The basement itself was searched rather thoroughly with negative results.
 - (4) Following the melee in the first floor area and the pursuit to the basement, subsequent responding police officers observed and pursued, without success, two males running from the main entrance to a clothing store on the southwest corner of Lenox Avenue and West 116th Street. They were never apprehended.
- m. Ranking superior officers present in the Mosque were now being pressured by Minister Farrakhan and Congressman Rangel to vacate the building. A temporary head-

quarters set up in the basement at D.I. Haugh's direction was subsequently moved to a building housing a city agency across the street.

- n. Retired Lieutenant Young, the detective superior initially present and directly supervising the detective activities, directed a detailed search of the building, and assigned officers to protect the crime scene and physical evidence, including Cardillo's revolver. Forensic and Ballistics responded. Detective Willie Johnson, Shield #2301, 6 D.D. H/A Squad was assigned to the investigation. In addition to Detective Johnson, the following detectives arrived and were assigned to specific responsibilities by Lt. Young:

- (1) Det. John Duffy, Sh. #312, 6 D.D. H/A Sqd.
- (2) Det. Joseph J. Ryan, Sh. #2865, D.B.M. H/A Coordinating Command
- (3) Detective Reginald Austin, Sh. #362, D.B.M. H/A Coordinating Command
- (4) Det. Edward Kelly, Sh. #2398, D.B.M. H/A Coordinating Command
- (5) Det. Alfred McPherson, Sh. #2638, 6 D.D. H/A Sqd.
- (6) Det. Frederick Capel, Sh. #736, 6 D.D. H/A Sqd.
- (7) Det. Thomas Regan (Now Deceased) 6 D.D. H/A Sqd.
- (8) Det. Salvatore Grosso, Sh. #1209, 6 D.D. H/A Sqd.

Lt. Young stated that the investigation was hampered by the resistance and interference of Mosque officials and members. Detainees refused to answer questions and refused to identify themselves.

- o) The following accounts for all the police officers initially involved who could possibly identify the assailants, including the person in blue at whom Negron fired:

- (1) Cardillo - Shot and to St. Luke's Hospital
- (2) Padilla - Injured and to St. Luke's Hospital
- (3) Negron - Accompanied Padilla to St. Luke's Hospital. He later returned to the Mosque for the purpose of identification, specifically, the man in blue at whom he fired the three shots.

He could not identify any of those being detained. (Hopes and DuPree had, by that time, been removed to Harlem Hospital.) Later, he identified both Hopes and Dupree at the 24th Precinct Station House for the assault on (not the shooting of) Cardillo and himself, and arrested DuPree. Neither was the man in blue at whom he fired the shots. A blue jacket or blue suit is not extraordinary in a Muslim Mosque where conservative dress is required, consequently, blue is the common dress of most Muslims.

(4) Navarra

Went to St. Luke's Hospital for treatment of contusion of left eye and returned to the Mosque for the purpose of identifying the culprits. He identified one known as "Larry" or "Clarence" who had assaulted him earlier in the Mosque and wanted to handcuff him. However, he was dissuaded by Lt. Young who stated that everyone would be taken to the 24th Precinct Station House where lineups would be conducted. He never saw "Larry" again. He subsequently identified Bobby Hopes at the 24th Precinct and arrested him on charges of assaulting (not the shooting of) Cardillo. He could make no further identification.

(5) Sgt. Burge

As directed by D.I. DiRoma, accompanied the wounded officers to the hospital. He did not return. He possibly could have identified the person who struck him, however, he remained at the hospital at the direction of an "Inspector" until he could be questioned. Later, he was told to report to the 24th Precinct for the conclusion of the investigation. He made no identification.

- (6) Golden - Became D. L. Haugh's driver and subsequently accompanied him to St. Luke's Hospital and later to the 24 Precinct. He initially went to the basement, however, he could not identify any of the detainees with the exception of Hopes and DuPree. He later went to the 24th Precinct Station House, where he gave a statement as to the events that occurred.
- (7) O'Connell - (One of the first officers into the basement.) Assisted in rounding up suspects though he could not identify anyone specifically, with the exception of DuPree. Later, he removed the scooters to the station house to prevent their destruction by the crowd outside the Mosque. Subsequently identified DuPree at the 24 Precinct. He could not identify anyone else in the basement.
- (8) Crowe - (One of the first officers in the basement.) Returned upstairs where he was directed to guard the crime scene. He could not identify anyone in the basement.
- (9) Andre - Struck DuPree in the basement with the butt of his gun when DuPree resisted arrest for the assault on Cardillo. Identified Hopes and turned him over to Sgt. Hall for removal to the 24th Precinct Station House. Later, went to St. Luke's Hospital, where he received three stitches on the finger of his right hand sustained upon breaking the window in the outer door of the Mosque. He could not identify anyone else in the basement.

- (10) Farino - Initially, on re-entry to the Mosque, he entered the restaurant portion because it appeared to him that some of those fleeing to the rear had entered, however, upon entry, observed only diners. He felt some of the assailants probably escaped to the street. Proceeded to the basement to assist, but could not identify anyone. Subsequently, he went to St. Luke's Hospital for treatment for contusion of the left side of the face sustained by three Karate "chops" as he was forced out of the Mosque.
- (11) Rocco - On re-entry to the Mosque, he remained on the main floor momentarily. When he entered basement the suspects were already lined up against the wall. He could not identify anyone. He then left for St. Luke's Hospital with his partner Farino. Rocco was examined for a back injury sustained as he was pushed out of the Mosque. From the hospital he reported to the 24 Precinct for the conclusion of the investigation.
- (12) Mendziak - Was in the Mosque at the outset. Observed Navarra run up the steps and being forced back by approximately 10 males. Another group of approximately 15 males assaulted Mendziak and the other officers, and pushed them out of the Mosque. On re-entry, he remained with the seriously injured Officer Cardillo. Upon Cardillo's removal to the hospital, he went outside for crowd control. Later, he was directed to the basement for purposes of interview. At that time he did not see any civilians or detainees lined up or sitting in chairs. Groups were milling around. After about ten minutes, he went to the 24 Precinct Station House where he gave a statement. He did not identify anyone.

(13) Green - Though he was in the Mosque at the outset, he was not in a position to observe any of the original incident. He was one of those pushed out of the Mosque. On re-entry, he assisted in removal of one of the injured officers. He could not identify any possible assailant. Shortly thereafter, he went to the street for crowd control and subsequently to the 24 Precinct Station House for the conclusion of the investigation.

p. Retired A. C. I. Kinsella stated that when he entered the basement, there appeared to be utter confusion. One Police Officer had left with a prisoner, others had gone to the hospital with the injured. He found it difficult to determine the exact sequence of events, and the pressure by Mosque personnel for the police to leave was increasing.

Chief Kinsella indicated that the focus of the investigation at that point, was on a search of the Mosque. Objections were raised over police taking photographs, however, photographers continued taking pictures, followed by Mosque personnel taking their own photographs. He said that none of the police officers could identify any of the persons then -detained in the basement and that detainees had mingled with other members of the Mosque. Attempts by police officers to question those being detained were unsuccessful, detainees refusing to answer even rudimentary questions. It was apparent that the man in the blue jacket at whom Negrón had fired the three (3) shots had escaped.

Chief Kinsella said that under normal circumstances investigators would have remained in the Mosque much longer, however, they heard reports that the situation outside was "messy." Minister Farrakhan, Brother Joseph and Former Deputy Commissioner Benjamin Ward took the position that the street would return to normal if the police were removed from the area, including the Mosque. These facts, plus uncertainty that all persons involved were in the basement, led to the reluctant decision by Chief Seedman to move the investigation to the 24th Precinct on the promise of Mosque officials to produce the detainees thereat.

- q. Former Chief of Detectives Seedman was delayed in responding to the Mosque. Upon arrival at about 1245 hours, he assumed the responsibility of the investigation and along with Chief Kinsella, questioned some of the officers present to determine what had occurred. Seedman said that Minister Farrakhan, his assistant Brother Joseph, and Congressman Rangel demanded that the uniformed personnel be withdrawn from the area to alleviate the excitable situation outside. (Subsequently, after consideration, some of the uniformed personnel were removed from the street, hoping to quiet a tense situation.)
- (1) Seedman continued his investigation in the Mosque, but after about 15 minutes either Rangel or Farrakhan approached him and told him that they had better get out of the Mosque or there would be trouble; that they could not control the crowd outside.
 - (2) Seedman now felt that with the reduced uniform personnel protecting the scene outside, he was in an untenable position. None of the police officers recognized any of the persons being detained in the basement of the Mosque. He believed at that time, that not all of the people concerned in the incident had run to the basement and had been detained. Also, he had been told that there had been co-mingling of those originally detained with others entering and leaving, with a loss of identity of the original detainees. He then entered into an agreement with Farrakhan and Rangel that the investigation would be removed to the 24th Precinct Station House.
 - (3) Farrakhan or Rangel promised that all of the 12 persons (There is question as to the exact number that remained) would be brought to the 24 Precinct Station House where the investigation was to continue. None of these 12 were identified prior to the officers leaving.
4. Seedman said that the decision to remove the investigation to the 24th Precinct was his. He did not know who made the decision to remove the uniformed personnel from the area outside the Mosque. He said

that all of the police officers involved in the investigation left for the 24th Precinct adding that when he himself went out into West 116th Street, some in the crowd recognized him and attempted to assault him.

- (5) Police Operations in the Mosque ceased at about 1400 hours.

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PART III

EVENTS OUTSIDE THE MOSQUE

As a result of response of police equipment at the scene of the Mosque, a large crowd gathered in the street. This crowd was further increased by the discharge of students at P.S. 207, located at 21 West 117th Street, for their lunch period. Because of the seriousness of the assaults on the police, the initial concentration of responding superiors was on the crime scene. However, the situation in the street deteriorated from a carnival atmosphere to the point of potential riot.

While the investigation was being conducted inside, word spread throughout the community and in approximately thirty minutes a crowd estimated at about 750 to 1000 persons congregated in the vicinity. As the crowd grew and some elements of the crowd started agitating for police removal, various isolated incidents occurred. The first incident of serious nature was the throwing of missiles from the roofs and from the center of the crowd in the direction of the police.

The next incident which created concern and apprehension was the overturning of an unmarked gypsy cab being utilized by the 24th Precinct Anti-Crime Team. (As a result of scanning all available photos of the scene taken by both the news media and our department, the person primarily responsible for this act was identified. On May 16, 1972, Carl Oliver, M-W-31, of 118 West 115th Street was arrested by Patrolman Raymond Sabel, Shield #26469, 28th Precinct and charged with Riot - First Degree, Disposition: Conditional Discharge).

At the request of Minister Farrakhan, the Temporary Headquarters had been removed from the basement of the Mosque to the 2nd floor of a N. Y. C. Housing Relocation Center at 115 West 116th Street. Minister Farrakhan was requested to speak to the crowd to mollify them, but since he refused to use a department bullhorn, he could not be heard and his efforts were considered ineffectual.

Detective Randolph Jurgensen, Shield #2096, 4th D. D. Robbery Squad, Detective Salvatore Grosso, Shield # 1209, 6th D. D. Robbery Squad and Police Officers Raymond SanPedro, Sh. #29101, Luciane D'Allesio, Shield #28874, and Jerome Harvey, Shield #15910, all of the 28th Precinct Anti-Crime, had been on

special stakeout duty in the area of 125th Street and Amsterdam Avenue, armed with carbines and shotguns in connection with the search for Twyman Meyers, a suspect in the killing of Police Officers Laurie and Foster. These weapons had been issued for that purpose. They responded to the scene and Detective Grosso proceeded to the basement of the Mosque. Retired D.I. Haugh directed Jurgensen, D'Allesio, SanPedro and Harvey to secure the roof top opposite the Mosque to prevent bottle and brick throwing. This was simultaneous with an order being given to remove all white police officers from the area. After they had cleared the roof top, the officers were ordered from the roof because the people in the area felt their presence posed a threat.

As they left the roof and entered on the street, their shoulder weapons were removed from them by superior officers and exhibited to the crowd. As they attempted to leave the area, the crowd became particularly hostile to Harvey (a Black Police Officer) and the other three officers attempted to protect him. They placed Harvey in an R.M.P. car, however, the crowd smashed the windshield of the car, attempting to get at Harvey. At this time Detective Jurgensen was struck in the head by an object, causing him to lose consciousness. San Pedro was also struck. D'Allesio, seeing the crowd engulfing them and his partners injured, drew his service revolver and fired three shots into the air causing the crowd to disperse. As the crowd fell back, the officers dragged Jurgensen and San Pedro to a city bus and ordered the driver to remove them from the area. When the crowd stoned and attempted to burn the bus, they were forced to transfer to an Emergency Service truck for safe transport to St. Luke's Hospital.

(NOTE: Since this occurrence, a scrutiny of all available photos of the scene resulted in a photo identification of the person who struck Detective Jurgensen. Efforts are being made to apprehend him and charge him with this crime.)

A police helicopter on patrol in the area observing roof tops for missiles and missile throwers was ordered from the area. Its presence was a source of agitation to persons in the area and it was deemed that the adverse effects of its presence outweighed the observation value afforded.

The area of disturbance was confined to the immediate vicinity of the Mosque. Within approximately one hour after the injury to Detective Jurgensen, the removal of white police officers from the area and the removal of the helicopter, the investigation at the scene ceased and all operations were removed to the 24th Precinct. At this juncture, normalcy returned to the area.

PART IV

IMMEDIATE INVESTIGATION AT 24TH PRECINCT

With the cessation of the investigation at the Mosque at 1400 hours, investigation was continued at 1600 hours at the 24th Precinct Station House. Those present at the 24th Precinct were:

Former Deputy Commissioner Ward
Former Deputy Commissioner Daley
Retired Chief Seedman
Retired A.C.I. Kinsella
Retired D.C.I. Knapp
A.C.I. Mitchelson
Retired D.I. Haugh
Retired D.I. DiRoma
Retired Lieut. Young and investigating detectives
A.D.A. Robert Tannenbaum, New York County
A.D.A. John Van Lindt, New York County

At about 1700 hours Minister Farrakhan, Congressman Rangel and Brother Joseph arrived at the 24th Precinct. They did not bring the people they promised but instead made counter demands as to why the police officers violated the sanctity of the Temple, using phrases such as "Would you do the same thing in Temple Emanuel or St. Patrick's Cathedral? "

Statements were taken by the Assistant District Attorneys, and arrests made as indicated below. Initially a special detective squad was formed within the 6th Detective District Homicide Squad, comprised of Detectives Johnson, Austin and Walter Cross to continue the investigation. In addition, Police Officer Navarra was specifically assigned to this investigative group.

The following members of the Mosque were brought to the 24th Precinct Station House, where they were represented by counsel, and refused to make statements:

- (a) Louie DuPree, B#518778, 102 West 116th Street, Manhattan (The Mosque) He was treated at Harlem Hospital and brought to the 24th Precinct Station House, where, after investigation, he was arrested by Police Officer Negron,

being charged with Assault First (of Cardillo), Assault Second (of Negron), Robbery (of Negron), Resisting Arrest (of Andre), and Obstructing Governmental Administration. Arrest #1774, 28th Precinct.

(b) Bobby Hopes, B#659203, 1060 Anderson Avenue, Bronx. He was removed directly to the 28th Precinct and then to the 24th Precinct where he was arrested by Police Officer Navarra and charged with Assault First Degree (of Cardillo). Arrest #1773, 28th Precinct.

(c) Anthony Peterson, Age 15, 1980 7th Avenue, Manhattan. He was removed from the Mosque, treated at Harlem Hospital and then taken to the 24th Precinct and released after investigation.

(d) William Morris, 224 West 106th Street, Manhattan. He was taken from the Mosque to the 28th Precinct and then to the 24th Precinct and released after investigation.

(Thomas Beech, 958 Wilson Blvd., Central Islip, L.I. had been removed to Harlem Hospital, treated and signed himself out. He was not available at the 24th Precinct for the continuation of the investigation and was not arrested. He was later admitted to Interfaith Hospital, Jamaica, Queens. Beech later refused to answer questions put to him by investigators.)

Other representatives of the Mosque appeared with Farrakhan, demanded, and were permitted to confer with the four being detained. One of the representatives identified himself as Henry 43X, true name Henry Nelson, Detective 3rd Grade, N. Y. C. Transit Authority Police. He became the subject of a Grand Jury investigation as hereinafter indicated. (See Part V)

Statements were taken by the Assistant District Attorneys from the following police officers:

- (a) Sergeant John Burge
- (b) Detective Willie Johnson
- (c) Police Officer Ivan Negron
- (d) Police Officer Vito Navarra
- (e) Police Officer Michael O'Connell
- (f) Police Officer Rudy Andre
- (g) Police Officer Francis Crowe
- (h) Police Officer Joseph Farino
- (i) Police Officer Peter Rocco
- (j) Police Officer Michael Green
- (k) Police Officer Dennis Mendziak
- (l) Police Officer Edward Golden

Police Officer Padilla, confined at St. Luke's Hospital, was interviewed thereat by A. D. A. VanLindt. Police Officer Cardillo, also confined at St. Luke's Hospital, was unable to make a statement. On a subsequent date prior to his demise, he was questioned by Police Officer Navarra in St. Luke's Hospital in the presence of Police Officer Cardillo's father. Cardillo was able to respond to questions by motioning with his head, indicating that the person responsible for shooting him was dressed in blue.

PART V

SUMMARY OF COMPLETED INVESTIGATIVE STEPS

1. Forensic Unit responded to scene and took photographs. Run #1662.
2. Ballistics Unit responded and discovered four spent bullets at scene, only one of which had any evidentiary value. This one has been identified as being fired from the service revolver of Police Officer Navarra. (See Ballistics reports in Appendix "C")
3. Existing files and photographs of all Known Muslims have been obtained from the Intelligence Division.
4. Roll Calls of precincts within the 6th Division have been obtained and all officers working on April 14, 1972 have been contacted for possible additional information.
5. Copies of voice tapes have been obtained from Communications Division for comparison purposes. Comparison with possible suspects was without results.
6. Detective Henry Nelson, Shield #810, N. Y. C. Transit Authority Police, a member of the Muslims (Bronx Mosque) was interviewed. He had been identified as being present in the Mosque and the 24th Precinct Station House on the date of occurrence. Investigators believe that Detective Nelson had no part of the original incident, but had in fact arrived on the scene later.

Detective Nelson and his partner, Detective Daniel Meehan, Shield #762 were subpoenaed before the Grand Jury. Because of conflicts in testimony unrelated to this incident, charges were preferred by their department, and they were both suspended. Detective Meehan has since retired and Detective Nelson received a medical discharge and is presently employed as Director of Security at Harlem Hospital. Retired Detective Nelson has been questioned and he has no further information of value to this investigation.

7. Police Officer Padilla was brought to the Identification Section where a department sketch and circular was prepared of the assailant who had removed his revolver. Sketch #143 has been circulated to all units of the department. (Padilla has also been brought to the Rockland County Sheriff's Office where a Minolta Montage Composition Sketch was prepared and is presently in completion stage.)
8. A subpoena duces tecum was obtained from Justice Gerald Culkin and served upon Minister Louis Farrakhan. The subpoena called upon the Minister to deliver the names and photographs of all Mosque members to him. As of this date, the subpoena has not been complied with.
9. The photo of one Robert Dawson, M-B-52 years, of 2347 Orianna Street, North Philadelphia, Pa., B#443825 was identified by Padilla as a person resembling the one who removed his gun. Investigation reveals Dawson is a brother of one of the leaders of the Mosque, although he claims not to be a Muslim himself. On the date in question he worked as a Pinkerton Guard from 0001 to 0800 hours at a factory in Philadelphia, Pennsylvania. His actions after 0800 hours have not been accounted for and it is possible for him to have been present at the Mosque at 1140 hours.

He later was a patient at the U.S. Public Health Service Hospital, Staten Island, New York. At that time a detective in an undercover capacity commenced employment at the hospital and attempted to gain his confidence without results. (Renewed efforts are being expended on this possible suspect in an effort to either connect him with this crime or completely absolve him.)
10. Conferences have been held with the Queens County District Attorney's Office relative to unidentified patients treated by Dr. Matthews at the Interfaith Hospital without results. Information had been received that a person who had been present at the Mosque was treated at that facility for injuries received.
11. All news photos and television film footage taken at the incident were obtained and viewed. News personnel and camera crews were questioned.

12. As a result of investigation it was determined that two unidentified black males flew from New York to Chicago on April 15, 1972 using Minister Farrakhan's credit card. Although they remain unidentified, it was determined that neither was the Minister. The same credit card was used within two hours after their arrival in Chicago by two unknown black males on a return flight to New York. (Efforts are presently being made to establish identification through interviews with airline personnel, passengers and credit card company employees.)
13. All concerned police officers have viewed all available photos of likely suspects.

The foregoing is a concise compilation of investigations conducted. Many persons were interrogated, numerous anonymous tips were checked out, and hours of surveillance were conducted, all resulting in the submission of approximately 300 Complaint Follow Up Reports. Several promising possibilities were discounted after complete investigation. New phases requiring exploration of contemporary information are still being unearthed.

PART VI

CONTINUING INVESTIGATIVE ASPECTS

1. Establish identity of an unidentified black male who is the perpetrator of an assault on Police Officer Navarra and was seen in the basement by Navarra and Detective Grosso. This unknown male gave his name at the scene as Brother Clarence. A photo of him has been obtained and efforts are being made to apprehend him and effect an arrest.
2. Apprehension of the assailant of Detective Randolph Jurgensen, #2096. This perpetrator has been identified as being a neighborhood drug addict and has been positively identified as Detective Jurgensen's assailant. Efforts are in progress to establish his pedigree and to effect an arrest.
3. Establish the true identity of one of the assailants in the assault on Police Officer Padilla and the robbery of his service revolver. Padilla has provided an in-depth portrait parle of an unidentified elderly black male who took his weapon. Photos are being prepared with the cooperation of Supt. John Slater of the Rockland County Sheriff's Office by use of the Minolta Montage Composer. With the aid of finished photos, further efforts will ensue to establish the true identity of this perpetrator. A prior sketch which was reproduced on wanted flyers prepared by this department was found to be of little value.
4. Establish the identity of the two black males who fled from the Mosque into the clothing store on the southeast corner of the Mosque building thwarting interception by Police Officer Johnson, who had responded with Ret. D.I. DiRoma. Additional photos are a requirement for identification of these subjects among unnamed and undescribed others. Multifaceted sources, including the F.B.I., are being solicited for current photos.
5. Establish identity of an unknown white male in the Mosque restaurant at the time of occurrence. Efforts will be made to establish the identity of this man who was apparently delivering some type of merchandise to the restaurant. Suppliers are to be canvassed discreetly to establish this man's identity for the purpose of questioning him as to his recollection of the incident.

6. Attempt to secure additional indictments of Bobby Hopes and Louis DuPree for participating in the First Degree Assault upon, and Robbery of a gun from, Padilla. This effort will be based upon statements obtained from Police Officers Padilla and Golden. In addition, pursuant to consultations with A.D.A.'s Keenan and VanLindt, consideration is being given to seeking indictments of the perpetrators for murder and/or conspiracy to murder Cardillo, since they were part of a group assaulting the officer at the time he was wounded, and this wound subsequently caused his death.

7. Continuing efforts are in progress to identify Boston Muslim Minister, George Shabaz (Paden) as being involved at the scene. This male apparently registered at the Sheraton Inn at LaGuardia Airport shortly after midnight on the following day. Photos available are of dubious value, but the Boston Office of the F. B. I. is attempting to obtain and provide useful photos.

8. Continuing efforts are being made to secure a copy of the Muslim Year Book which contains photos of members in good standing for the current period. These books are made by area. Great difficulty is being experienced in achieving this acquisition, but the value could be great.

9. Arrangements will be made to have those members of the service who can make possible identification view, at one sitting, all T. V. movie footage taken of the event.

10. Efforts are continuing to establish the identity of a number of Muslims who went to LaGuardia Airport, two of whom flew to Chicago on the day after this incident. Subsequently, two return tickets were utilized on a return flight that departed within two hours after arrival. These tickets were charged to Minister Farrakhan's credit card as was the Sheraton Motel bill of Minister Paden. The connection of these two men with the incident and the reason for their trip are yet to be established.

11. Requests will be made for the continued assignment of Police Officer Navarra to this case. From its inception at least three men have been continually assigned to the case. Navarra has been of great value, both as a witness and as an investigator. It has been found that publication of this officer's assignment to the case produced a salutary effect on the morale of members of the uniform services in the 6th Division, which effect increases with extended awareness of his assignment.

12. Efforts will be continued to connect Henry Dawson with the theft of Padillo's revolver or to eliminate him as a suspect.

13. Re-investigate that aspect pertaining to one Phillip White who had, shortly after the date of incident, been arrested for reporting psuedo-incidents resulting in the transmission of many radio Code Signal 10-13's.

It is anticipated that results of the additional investigative efforts will lead to further areas for exploration. Each of these areas will be fully examined.

PART VII

POINTS AT ISSUE IN "CHRONOLOGY OF THE MOSQUE INCIDENT"
PREPARED FOR THE CHIEF OF PATROL, MARCH 23RD, 1973
(CPC #221-72)

1. Page 3, Paragraph #3:

"Official reports vary and are not clear whether Patrolman Negron heard one or more shots in hallway, prior to the shots by the patrolman through the glass panels."

Police Officer Negron states that while he was scuffling with assailants, he heard two or three shots go off. Upon questioning, he stated that he was uncertain as to the source of the initial 2 or 3 shots he heard, although he believed they were fired from outside. Other officers present could not attest to the sequence of shots fired. This matter was unresolved.

2. Page 3, Paragraph #3:

"Again, official reports vary and are not clear as to whether all the fleeing assailants went down the basement."

Questioning of all officers on scene reveal that some occupants of the Mosque were encountered in hallway, others left by front door, and others could have escaped through restaurant doors which open on to the hallway.

3. Page 4, Paragraph #2:

"In basement they encountered sixteen (16) men who were frisked and detained for further investigation by the detectives."

Interview reports of the first police officers in the basement reveal that approximately sixteen men were lined up and frisked before the arrival of any supervisor on the scene. D. I. DiRoma was the first superior to arrive in the basement and ordered the area frozen. Then upon the arrival of D. I. Haugh, DiRoma left to change into his uniform.

Police Officer John Farino, #21100, 28 Precinct
R. M. P. Duty - In Uniform

Police Officer Peter Rocco, #30571, 28 Precinct
R. M. P. Duty - In Uniform

Police Officer Rudy Andre, #19585, 28 Precinct,
R. M. P. Duty - In Uniform

7. Page 22, Subdivision B, Paragraph #1:

" Minister Fraakhan also alleged police brutality, brandishing of all sorts of guns, including sub-machine guns and the shouting of threatening and obscene remarks. "

C. C. R. B. Case #992-72 was prepared on April 15, 1972 on complaint of Dale Parker, 53 West 94th Street who was not a witness but heard reports of the incident on radio. Case was closed on November 16, 1972 when members of the Mosque were uncooperative. Minister Farrakhan was contacted by members of this department including Mr. Sterling Johnson, Director of the Civilian Complaint Review Board, but he made no official complaint or statements.

No evidence has been uncovered of any machine guns on the scene. E. S. S. #2 did carry shotguns during the search for the perpetrators believed to be armed, which is normal procedure. Detective Jurgensen was armed with a shotgun and Police Officer D'Allesio was armed with a carbine, not in the Mosque but outside. Both of these latter weapons were authorized because of the officers' assignment on stake out duty.

8. Page 26, Paragraph #4.:

"In the various police reports relating to the shooting of Ptl. Cardillo, it was mentioned that he was able to indicate, by sign language, that the perpetrator was wearing blue. At what point he was able to indicate this, is not clear, in any of the reports. Was it at the scene or at the hospital. "

