

REPORT AND ANALYSIS OF  
MUSLIM MOSQUE INCIDENT

OF APRIL 14, 1972

## TABLE OF CONTENTS

	Introduction	
PART I	Chronology of Events Leading to Shooting of Patrolman Cardillo.	Pages 1 thru 6
PART II	Chronology of Events in Mosque After the Shooting.	Pages 7 thru 17
PART III	Events Outside the Mosque.	Pages 17a thru 19
PART IV	Immediate Investigation at 24th Precinct	Pages 20 thru 22
PART V	Summary of Completed Steps	Pages 23 thru 25
PART VI	Continuing Investigative Aspects	Pages 26 thru 28
PART VII	Points at Issue - Report of Chief of Patrol dated March 23, 1973	Pages 29 thru 33
PART VIII	Points at Issue - "Front and Center" dated March 13, 1973, P.B.A. President McKiernan and Retired D.I. John Haugh.	Pages 34 thru 38
PART IX	Points at Issue - "3100 Club Bulletin dated June 1972.	Pages 39 thru 41
PART X	Conclusions	Pages 42 thru 43
PART XI	Appendix	
	A	Transcript of telephone conversation and record of sequence of radio broadcast of Code Signal 10-13
	B	Arrests and Indictments

PART XI

Appendix (cont'd)

- C Ballistics Section Reports
- D Aided Cases - Police Officers
- E Report for Chief of Patrol, March 23, 1973.
- F "Front and Center," March 13, 1973 - Articles  
by P. B. A. Pres. Robert McKiernan and D. I.  
John Haugh (Retired)
- G "3100 Club" Bulletin - June 1972

## 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.

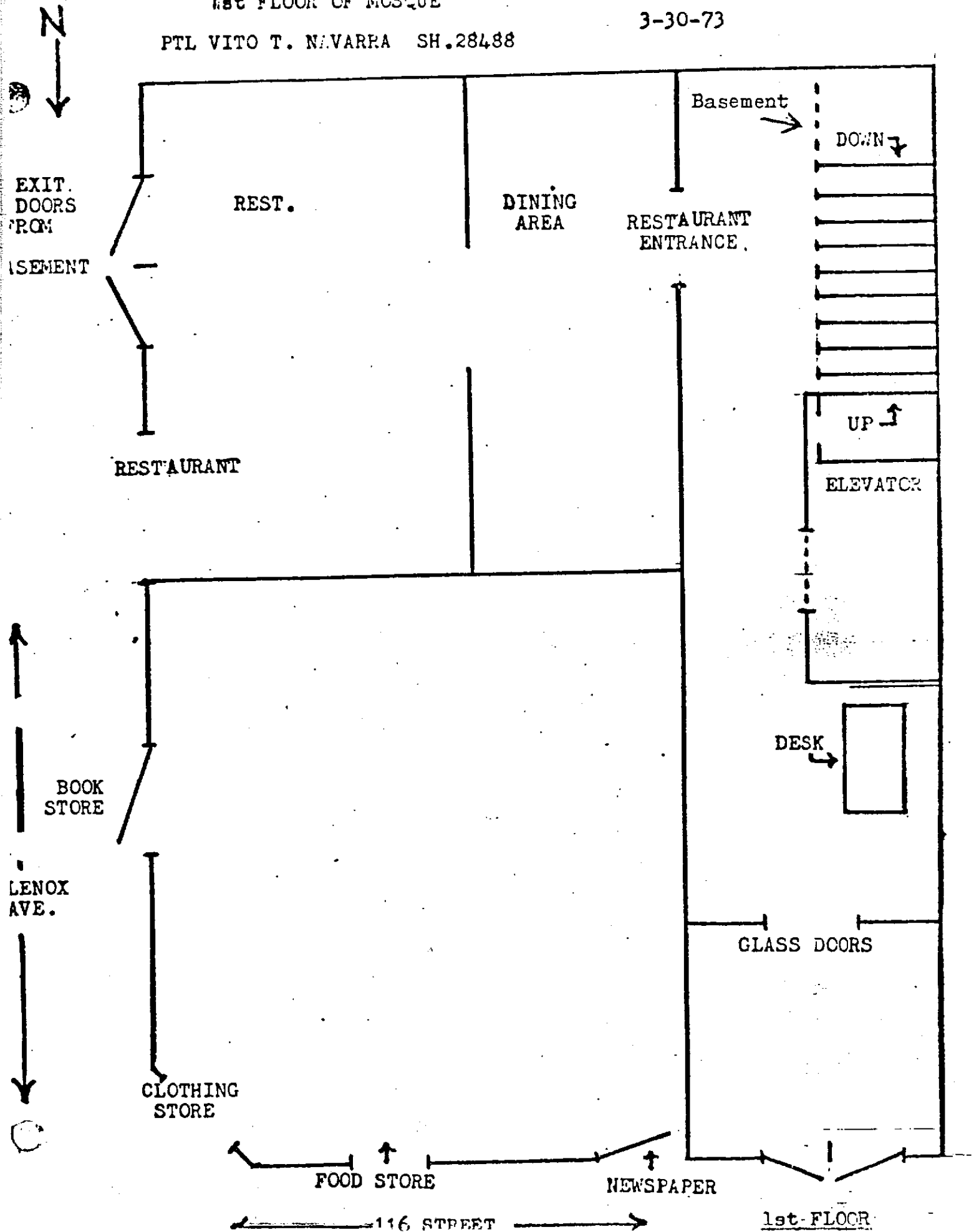
This description of the building and the following sketch are intended to clarify references made throughout this report.

(See Following Page)

1st FLOOR OF MOSQUE

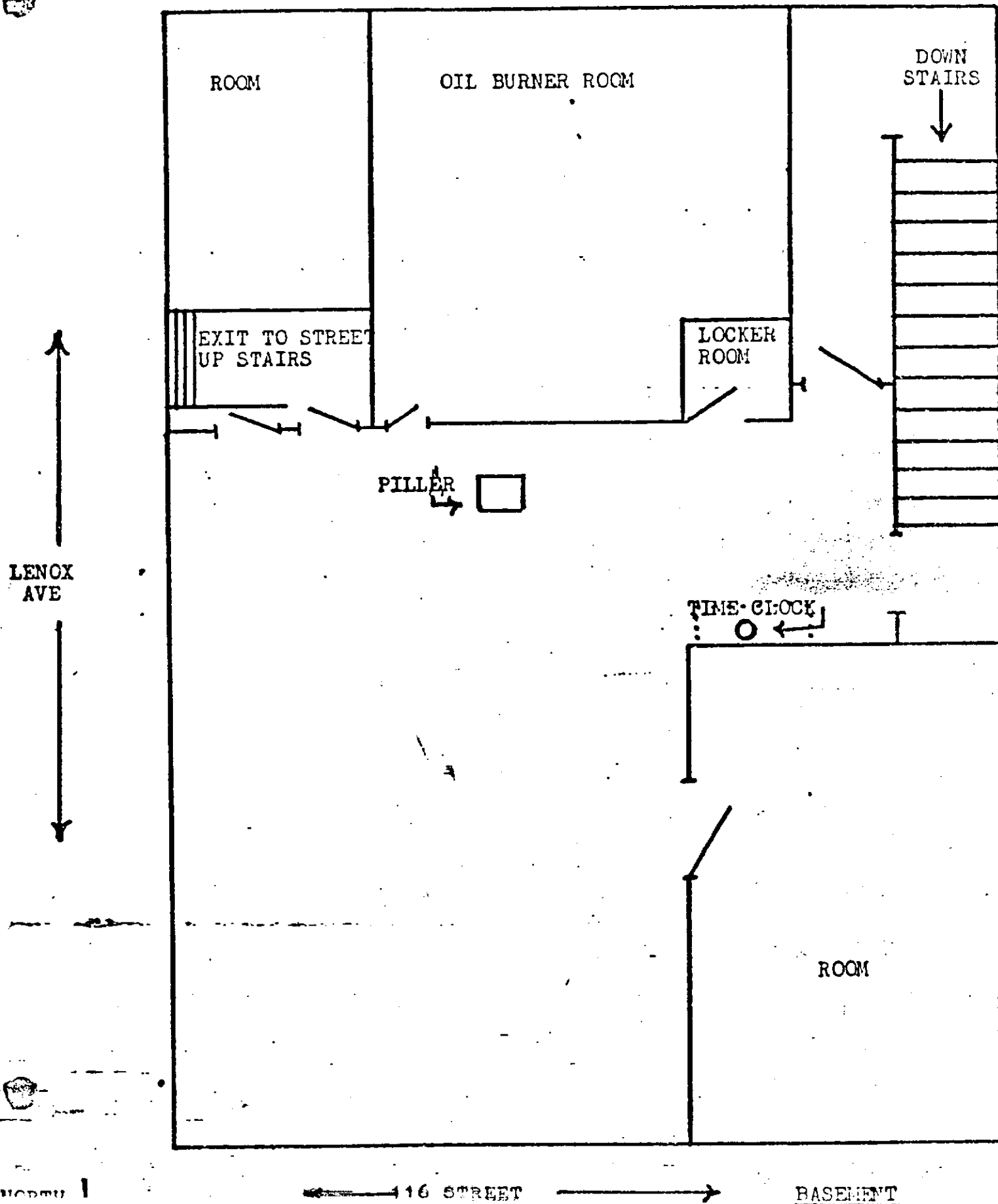
PTL VITO T. NAVARRA SH.28488

3-30-73



BASEMENT OF MOSQUE

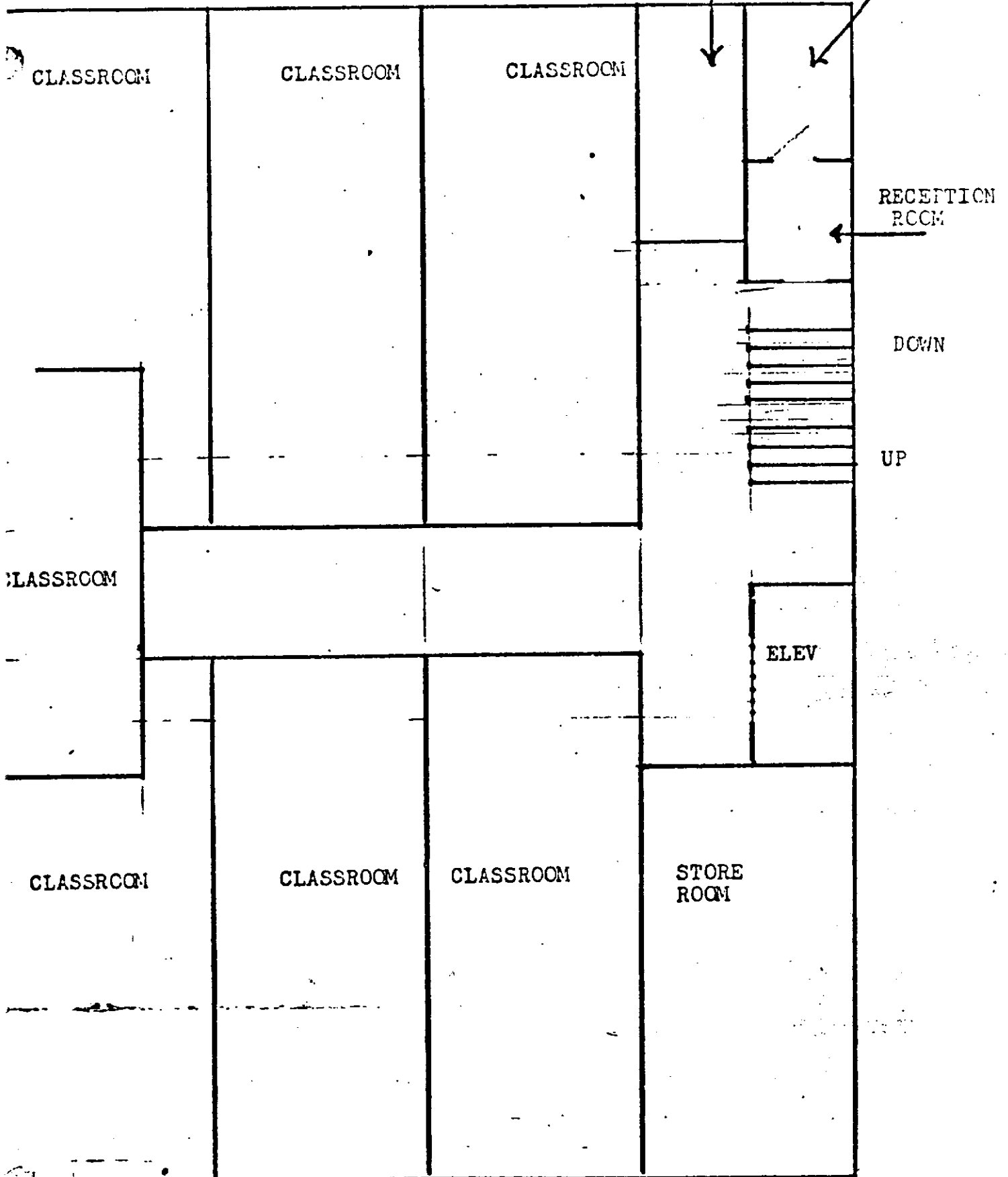
3-30-73



2nd FLOOR

CLERICAL STAFF

DIR. CLARKE'S  
OFFICE



116 STREET

2nd FLOOR



3rd TOP FLOOR

↑  
LENOX  
AVE  
↓

MINISTER FARRAKHAN'S  
OFFICE

TEMPLE

ARCH

DOWN

UP

ELEVATOR

ELEVATOR  
MACHINE

← 116 STREET →

3rd FLOOR

- 2 -

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.

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	26620	28	1965	Sector G
	Vito Navarra	28488	do	do	do
(2)	Ivan Negron	21020	25	2159	Sector D
	Victor Padilla	29539	do	do	do
(3)	Dennis Mendziak	26741	28	2288	Sector A & B
	Michael Green	14554	do	do	do
(4)	Michael O'Connell	26766	do	Scooter #878	Post #1
(5)	Joseph Farino	21110	28	2334	Sector F
	Peter Rocco	30571	do	do	do
(6)	Sgt. John Burge	1550	28	1391	Supervisor
	Edward Golden	9632	do	do	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.L. 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 Negron 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 Negron and Padillo 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." Negron 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 Kinseila, 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 Negron)
- (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 Negron 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.

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 requestioned 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."

On Sunday, April 16, 1972, Police Officer Vito Navarra in company with Cardillo's father was visiting Cardillo at St. Luke's Hospital. Navarra asked Cardillo if he knew who shot him. Cardillo pointed to his father who was wearing a blue shirt. By a progression of several questions, to which Cardillo could nod "yes" or "no." it was determined that Cardillo was indicating that the perpetrator was wearing a blue jacket.

Police Officer Negron viewed several photos of possible perpetrators without results. Questioning of officers at the scene reveal that several men in the Mosque were wearing blue suits on that date. Muslim religion requires that its members be conservatively dressed so it is not unusual that many Muslims wear blue suits.

9. Page 27, Paragraph #5:

"After the shooting, and the doors were unbolted, sixteen (16) of the Mosque members, fled toward the rear of the building and into the basement. It would appear likely, from most accounts of the incident, that Ptl. Cardillo's assailant was among this group. None of the reports indicate whether there were other means of exit."

The hallway leading to the rear of the Mosque that was used by the fleeing Muslims has two exits. To the left is the entrance to the Mosque restaurant and the right leads to a descending staircase to the basement.

10. Page 27, Paragraph #5:

"Were any of the sixteen (16) Mosque members apprehended in the basement wearing a blue suit? "

Several of the Muslims detained in the basement were wearing blue suits.

11. Page 27, Paragraph #5:

"Why wasn't Ptl. Negron able to identify the man he shot at? "

Officer Negron could not identify the man in blue for several reasons. First, he only had a fleeting, partial view of this man; second, it is possible this suspect may have exited to the street via the restaurant. In any event, Negron was unable to identify this individual from the group in the basement.

12. Page 27, Paragraph #5:

"Why and by whose authority were most of them released?"

The confusion in the basement, as explained in this report, created a situation making it impossible to ascertain which of those remaining therein were part of the original group being detained. Former Chief of Detectives Seedman stated that the decision to move the investigation to the 24th Precinct was his. Minister Farrakhan and/or Congressman Rangel had promised Chief Seedman that they would take the occupants of the basement and produce them at the 24th Precinct for interrogation. They reneged on this promise.

Chief Seedman stated that the reason for this action was the fact that no police officers at the scene could identify any person remaining in the basement as being involved in the incident on the first floor. He also felt that the investigation would not suffer because of the co-mingling that had taken place between the original 16 and those who had arrived later. It must be borne in mind that the situation in the street at this time had deteriorated to such an explosive extent that the main consideration of the commander on the scene was the quelling of a disturbance that could develop into a riot.

The following references, summarized in the report prepared for the Chief of Patrol, are from statements made by Patrolman Edward Kiernan who was then the President of the Patrolmen's Benevolent Association:

13. "Regular police procedure calls for full interrogation of suspects and parafin tests."

Circumstances relating to interrogation of suspects were previously related in this report. With respect to utilization of a parafin test, this test for nitrates is not acceptable for the reason that neither positive nor negative results are conclusive. False positives may result if the person examined comes into contact with certain oxidizing substances in the ordinary course of life. Negative results could possibly be obtained if a person had discharged several rounds from a firearm. The Neutron Activating Test is not an acceptable test for the same reason. At the present time there is no specific test in existence to establish that a suspect has recently discharged a firearm.

14. "Rumors circulated that police were under secret orders not to enter the Mosque at all."

It has been established that at the time of the Mosque incident, Deputy Inspector Haugh, then Commanding Officer of the 28th Precinct, had a general agreement with Minister Farrakhan that the Mosque would be treated by the police as any other house of worship. This certainly did not preclude the police from responding and entering the premises. Furthermore, during the numerous interviews conducted during this entire investigation, not one individual was located who had any knowledge of any instruction or order prohibiting his entry into the Mosque on police business.

PART VIII

POINTS AT ISSUE IN PUBLICATION "FRONT AND CENTER" DATED MARCH 13, 1973 BY P. B. A. PRESIDENT ROBERT MC KIERNAN AND RETIRED DEPUTY INSPECTOR JOHN HAUGH

1. "Were the 15 men being held on the lower floor of the Mosque taken to the 24th Precinct for interrogation and identification?"

As noted in prior explanations in this report, four black males were taken to the 24th Precinct for identification and interrogation. The remaining 12 unknown black males from the basement of the Mosque were not identified nor brought to the 24th Precinct for reasons already described.

2. "Can the 15 men now be identified and reached?"

Four men were identified as being in the basement. Of the 12 remaining, only 2 were identified by members on the scene, but not as suspects for any crime at this time. Composite photos are being prepared of others for identification and further investigation.

3. "By whose authority were they turned loose from the Mosque after Inspector Haugh had ordered that they be detained?"

This portion has been answered in PART VII, page 33, paragraph 12 of this report.

P. B. A. President Robert M. McKiernan stated in his column that former D. I. Haugh's article is a complete factual account concerning what happened at the Mosque and its conclusion merits immediate action by Police Commissioner Murphy and District Attorney Frank Hogan.

The presentation of facts by former D. I. Haugh is essentially a presentation of minimal facts, nebulous in nature and of little value. The major portion of the article consists of editorializing and a discussion of almost personal differences with Former Deputy Commissioner Ward.

Deputy Inspector Haugh had been questioned during the continuing investigation a few days prior to publication of his article in "Front and Center," March 1973 issue. In order to clarify some of his statements in that article, he was again interviewed on April 19, 1973. Deputy Inspector Haugh said that everything he had to say about the case was in his article in "Front and Center," and further than that he would make no comments.

He stated as follows:

- a. He posed no question into the investigation of the death of Patrolman Cardillo.
- b. In his opinion Patrolman Cardillo was properly performing his duty.
- c. If he was performing his duty properly, the Police Department should not have apologized; no apology should have been made.
- d. Former Deputy Commissioner Ward apologized.
- e. The Police Commissioner backed up Commissioner Ward when he was interviewed on a T.V. show stating the apology was appropriate.

Former Deputy Inspector Haugh was specifically questioned as to the identity of the persons to whom he turned over the responsibility for guarding the 16 men in the basement. (His article had referred to a detective superior). Former Deputy Inspector Haugh replied that he would make no comment as to anything else other than what was in his article and refused to answer the question. He again reiterated that he found no fault with the investigation other than the apology that was made.

Former Deputy Inspector Haugh stated that he would gladly appear before a Grand Jury and testify under oath as to his conduct at the scene. He said, "I will not answer any questions, all the facts are printed in that article."

Former Deputy Commissioner Ward, presently the Traffic Commissioner, City of New York, was interviewed relative to D.I. Haugh's article in the publication, "Front and Center."

Commissioner Ward stated that:

- a. He was delayed at Police Headquarters and arrived at the Mosque after most ranking superiors.
- b. He observed several officers donning bullet proof vests and carrying shotguns.
- c. There appeared to be little control of police efforts outside the Mosque, everyone appeared to be milling around.
- d. Upon entering the Mosque he attempted to have Minister Farrakhan and Congressman Rangel address the crowd outside. They agreed, however, when a bullhorn was obtained, they changed their minds and refused.
- e. The police activity inside the Mosque also appeared to be mass confusion.
- f. He entered the basement area, however, he was unaware that any group of Muslims was being detained either as witnesses or suspects. He was surprised to learn much later that 16 men had been detained in the basement.
- g. Neither Farrakhan nor Rangel said anything to him about releasing anyone, nor did anyone advise him that anyone had been arrested.
- h. He returned to the street where D.I. Haugh and Insp. Mitchelson were attempting to control the crowd which now appeared to be larger and more vocal, and right up against the Mosque proper. Ward saw former Commissioner Daley being interviewed for T.V. by Chris Borgen and heard mention of "a warning shot."

- i. Ward suggested to Mitchelson to get the police off the street. Mitchelson selected a city office, the Human Resources Agency, located on the Northwest corner of west 116th Street and Lenox Avenue, across the street from the Mosque, and directed police officers at the scene to be placed in reserve thereat. A few uniformed black officers remained on the street.
- j. Ward returned to the Mosque. Farrakhan and Rangel now went outside and addressed the crowd without a bull horn. Ward said that he then entered his auto and drove to West 125 Street and 8th Avenue to survey the business area. Everything appeared to be calm. Ward again returned to the Mosque. There was low police presence now. D.I. Haugh was walking a bus through the crowd.
- k. Ward said that he observed some youngsters on a roof and told the officer directing traffic at West 116th Street and Lenox Avenue to advise D.I. Haugh to get them off. Ward then left. He did not enter the Mosque on this return.
- l. Ward stated he was unaware of any agreement to move the investigation to the 24th Precinct Station House, or any agreement to release any detainees.
- m. Ward attended a rally at the Mosque at 2000 hours that evening where Farrakhan spoke to a large crowd, haranguing the Police Department. Ward also spoke.
- n. Ward went to the 24th Precinct after the Mosque meeting and met Haugh and Mitchelson outside. A heated discussion ensued relative to the constitutionality of the police entry to the Mosque. The discussion also centered on Haugh's judgement in sending police officers in civilian clothes, carrying a carbine and shotgun, to clear the roof. Haugh told him that it was his decision and, in retrospect, it was in error.
- o. Ward said he personally apologized to Minister Farrakhan for the police actions at the Mosque, pointing out that



Farrakhan was the outstanding black religious leader in N. Y. C. Ward was critical of the actions of Police Officer Navarra in precipitously running up the steps to the 2nd floor, while classes were changing. Ward cited a previous civilian complaint lodged against Navarra in March 1971 resulting from an incident wherein a motorist, parked in a bus stop, rolled up his window and refused to produce his driver's license for a summons. Navarra kicked the window several times, breaking it and shattering glass on the occupants. A child suffered glass cuts. (Departmental Charges were filed, Serial #44533. Disposition: 3 Days Vacation, dated July 10, 1972; however, complainants were convicted in Criminal Court of assault and related charges on December 8, 1971)

- p. Ward said that he subsequently spoke for Radio Station WLIB and the Amsterdam News, however, the reporter misquoted him in that paper on the actual facts as related by him. The reporter has since been fired.

PART IX

POINTS AT ISSUE IN PUBLICATION "3100 CLUB BULLETIN" OF  
JUNE 1972

1. "Why were there only 2 arrests when we know that over 20 men violently resisted lawful police entry? "

This portion has been answered in Part VII, page 33, Paragraph 12 of this report.

2. "How many of these 20 or more men were taken to the 28th Precinct for questioning and how many were merely interviewed at the scene and released? "

Four Muslims were taken to the 24th Precinct for questioning and identification. Two were identified as committing a crime and two were not identified. Detainees at the scene initially refused to answer questions or to identify themselves.

3. "Was the integrity of the crime scene diligently protected? "

Because of the volatile nature of the situation and the uncontrolled volume of persons at the place of occurrence, the integrity of the crime scene could not be protected to the desired degree.

4. "And was there the thorough search of the entire building and occupants as was claimed in the press release? "

The building was searched first by responding uniform personnel and subsequently re-searched by members of E. S. S. #2 and detectives, accompanied by Muslims. The original 16 detainees were initially searched by pursuing police officers when placed against the basement wall. No other occupants of the Mosque were searched.

5. "Who took charge at the scene? Was it the police or the occupants? "

The police were in command but the Muslims were consulted as to who would be permitted entry into the Mosque. Newsmen and non-essential police personnel were excluded to placate aroused Muslim charges of Mosque desecration, which actions may have appeared to the un-informed and un-involved as community control of the situation.

6. "Isn't it a fact that while members of the force were being assaulted with a barrage of bricks, bottles, etc. from rooftops, superior officers actually ordered men to re-holster their revolvers, even as several men were being seriously injured? "

Members of the service were not ordered to reholster their revolvers although, if revolvers were in evidence in this situation, reholstering would certainly have been in order. Two members of the force were on rooftop duty with a shotgun and a carbine. These weapons were disassembled because of the inflammatory effect on the street crowd.

7. "How was it possible that while Ptl. Cardillo lay mortally wounded and several other officers had in fact been injured, a certain high ranking appointed police official made statements to the press that those in the mosque were peace loving people? "

Apparently this may refer to statements made by Deputy Commissioner Daley or Ward. We have no information in this regard and did not feel it our function to pursue this aspect in this report.

8. "How is it possible that a certain high ranking appointed police official could interfere at the scene by refusing to allow the arrest of persons found in the basement of the mosque and taken into custody? Was it the Penal Law and the Rules and Procedure that applied to the situation or was it public relations and political expedience? "

A perspicacious examination of all available information fails to lend any credence to the allegation that any department official refused to permit the arrest of any of

persons being detained in the basement. Unfortunately, Police Officer Navarra was instructed by Detective Grosso, upon advice of Lt. Young, not to handcuff a black male in the basement whom Navarra identified as a perpetrator. The rationale given was that all parties lined up in the basement were to be removed to the 24th Precinct for investigation. In the ensuing confusion, this detainee was able to absent himself from the scene without identifying himself. Attempts are now in progress to identify this individual.

9. "When was an A.D.A. present at the scene of the incident as the press release of April 24 states?"

Interview with Manhattan A.D.A.'s VanLindt and Robert Tannenbaum disclosed that they responded to the 24th Precinct at approximately 1545 hours, and were never at the scene. The press release stated, in fact: "An assistant District Attorney was immediately assigned to this case, and he has been either present or consulted with during all phases of this investigation." This statement does not imply any A.D.A. was present at the scene and the interpretation to the contrary is incorrect.

10. "What was the actual cause of Patrolman Cardillo's death? Did he die from gunshot wounds or was the death the result of the savage beating he received? Do the medical reports show that several vital internal organs were severely damaged as a result of the stompings?"

A consultation with Dr. Michael Baden discloses that his autopsy revealed the cause of death and all internal injuries of Police Officer Cardillo are consistent with the bullet track and the original operation. This is not to preclude the possibility of small injuries which could have healed within the time span from April 14 to April 21, 1972. No other external injuries were in evidence.

Other pointed questions in the article referred to the absence of officials at the funeral and internal queries directed at the leadership of the P.B.A.

PART X

CONCLUSIONS

The penetrating view obtained through the preparation of this report disclosed that the initial investigation was severely hampered with regard to integrity of the crime scene and interview of witnesses and possible perpetrators.

Several factors are seen as the root cause of the situation:

- a. The place of occurrence was a Muslim House of Worship where the presence of armed police (especially whites) was viewed as a continuing desecration.
- b. The nature of the neighborhood; i. e. a highly congested, high crime and high narcotics prone area with crowds readily available and with considerable numbers of undesireables usually present.
- c. The highly emotional state of both Muslims and police caused by injuries to both police officers and Muslims.
- d. The temper of the crowd as exemplified by the incidents occurring outside the Mosque, the removal of white police officers from the area to forestall a riotous situation, the overcrowding and intermingling occurring in the basement, etc., causing a tenuous investigative environment at the scene and dictating the removal of the investigation to the 24th Precinct.

From this point on, a detail of detectives has been continuously assigned to this case. Police Officer Navarra (who was Cardillo's Partner on that date) has been assigned to the investigation since its inception and is still assigned. Numerous conferences have been held with the New York County District Attorney's Office and Assistant District Attorney John VanLindt has been specifically assigned to the case since its beginning.

In proper perspective, it is concluded that the potential for riot, and the necessity of avoiding further injuries or deaths among

police and civilians, and the other unusual factors involved cited in this report dictated police action which necessarily and unavoidably hampered investigation of the crimes committed. However, the investigation is being continued with new avenues being constantly sought and explored. The main thrust has been and will remain not only the apprehension but the eventual conviction of the persons responsible.

APPENDIX "A"

TRANSCRIPT OF TELEPHONE CALL

11:41:20

"Manhattan"

Oper. - Police Operator

Caller - Hello this is Detective Thomas of the 28th Precinct. "

Oper. - Yeah

Caller - "I have a 10-13 102 West 116th Street"

Oper. - 102 West 116th?

Caller - "Right that's on the second floor. "

Oper. - Second floor? "

Caller - "Right"

Oper. - Hold on.

(Caller hung up)



C. U. RECORD OF SEQUENCE OF RADIO BROADCAST OF "10-13"

AT 102 W. 116 STREET ON APRIL 14, 1973 AT 1142 HOURS

11:42:00

DISP. Signal 10-13 102 West 116 on the second floor, 1 zero 2  
116 second floor signal 13.

UNITS "No ack"

DISP. Units receive assist Patrolman 102 West 116 K

UNIT "28 Frank on the way"

UNIT "(Distorted, possibly - 25) David will respond"

DISP. That's second floor hallway, 102 116 K.

UNIT "28 Sergeant responding"

DISP. 10-4

11:42:35

11:43:50

UNK. UNIT "Unreadable"  
OR PORT.

DISP. 10-5 (Pause) Is there a foot man requesting assistance

UNIT "Said something about 116 Street Central

11:44:10

DISP. Any unit on the scene at that assist patrolman 102 116 K

UNIT "That a 13 central"

DISP. Any 28 car on the scene of that assist patrolman 102  
West 116 K

UNIT "No further 102 West 116 scooter post 2 of the 28"

DISP. 10-4 units in the 28 precinct no further 102 116  
Authority 28 scooter patrolmen on the scene 1145 hours

11:44:45

11:44:55

UNIT "10-13 102 West (Distorted possibly 116 the rest unreadable.)"

DISP. 102 West 116 a signal 13 102 West 116 a signal 13 what units  
to respond

UNIT "25 Anti-Crime (unreadable) central"

DISP. 10-4 any other units 102 West 116 assist patrolmen

UNIT "10-13 get additional units central"

DISP. Units in the 25 to respond 102 West 116, 102 116 K

UNIT "25 (Distorted possibly - sergeants) gonna respond there"

DISP. 10-4 any other units in the 25 102 116

UNIT "32 available central 32 Adams available"

DISP. Adam respond forthwith 102 116 K

UNIT "25 Henry, 25 Sergeant K we're all responding"

DISP. 10-4 any units in thee area, 32 or 25 102 West 116, 102 116

11:45:45

UNIT "32 (unreadable) is responding central"

DISP. 10-4 be advised you have numerous plainclothes units  
also responding use caution.

UNIT Shots are being fired central"

DISP. Shots fired, shots fired, shots fired 102 West 116, repeating units  
responding 102 116 shots fired at this time.

UNIT "Unreadable)"

UNIT "10-5 that last transmission"

DISP. That's shots fired assist patrolmen 102 West 116 in the  
28 Precinct.

UNIT "Patrolmen shot central (unreadable)"

11:46:20

11:46:25

UNIT "10-5 that last transmission K"

DISP. We have reports of a patrolmen shot at this time 102  
West 116 reporting a Patrolmen shot 102 West 116

11:46:35

11:46:40

UNIT "(Unreadable) Patrolmen shot at this location central"

DISP. Affirmative, affirmative, units be advised we have reports  
of a Patrolmen shot at 102 West 116 K

11:46:50

11:47:20

UNIT "10-5"

UNIT "What have you got there central"

DISP. Thats 102 West 116, 102 West 116 report of a Patrolmen  
shot

UNIT "(Distorted possibly - 2 cops shot at the location central  
(unreadable))"

DISP. An ambulance is on the way

11:47:35

11:47:40

UNIT "You know what we're looking for central"

DISP. No ack.

11:47:50

11:48:25

DISP. Any further assistance required at this time 102 116

UNIT " Send emergency service I understand that they have the  
perpetrator in the building with the cops gun"

DISP. 10-4

UNIT: " No further (Distorted possibly-R.M.P.'s) West 116  
theres enough units on the scene authority 6th division  
lieutenant. "

UNIT "Central has that been eh, a definite shooting of a police officer"

DISP. Thats affirmative report of 2 Patrolmen shot at this time

11:48:55

11:49:00

DISP. Any supervisors on the scene 102 116 K

UNIT "Inspectors here central hold on I'll get him"

DISP. 10-4

11:49:10

11:49:15

UNIT "(Distorted possibly - close that building in don't let anybody out)"

UNIT "(unreadable) to central k"

DISP. Unit with a message

UNIT "(Unreadable)"

UNIT "Any description on the perpetrator central"

UNIT 28 John to central K"

DISP. 28 John

UNIT "The Inspector of the Division is here there going to set up a temporary headquarters here and there have been 2 Patrolmen shot removed to the hospital, no further information"

DISP. 10-4 we have emergency service on the way up

11:49:55

11:50:00

UNIT "No further 116 and Lenox all units resume patrol but the  
28 units, all units resume from 116 and Lenox"

DISP. Who's that on the air, by what authority.

UNIT "(Unreadable possibly - 5) Sergeants car report to front  
of 1 (unreadable)"

UNIT Was there any description on the perpetrators"

DISP. All we have at this time reportedly the perpetrators  
still trapped in the building in possession of the  
patrolman's gun K

UNIT "10-4"

11:50:35

11:51:15

DISP. Any supervisor in the 6th division on the scene 102 116 K

UNIT "No ack"

11:51:20

11:51:35

UNIT "All (unreadable) 2 Patrolmen removed to the hospital no  
further assistance required K"

11:51:40

11:52:10

UNIT "\_\_\_6 and Lenox no further assistance required,  
authority of the (unreadable)"

DISP. "10-5 that please"

UNIT "No ack"

DISP. Is there a supervisor in the 6th division on the air at  
this time K 102 West 116

UNIT "No ack!" (pause)

UNIT Supervisor (unreadable) K

11:52:40

11:52:55

UNIT "Supervisor on the scene 116 and--- you have a message  
for us K"

DISP. 6th Division supervisor or 28 supervisor which ever it  
may be we're trying to ascertain any of the perpetrators  
captured at this time anybody apprehended

UNIT "Unreadable) central"

UNIT "Unknown at this time central we're checking the buildings"

11:53:15

11:54:10

UNIT "\_\_\_RMP crews remove your cars, remove your cars K"

UNIT "Will you get the driver of (possibly 1961 or 1951 to move  
his car"

UNIT "Anti-Crime Sergeant to central K"

DISP. Anti-Crime Sergeant go ahead

UNIT "No ack. "

DISP. 6th Division Anti-Crime supervisor go ahead

UNIT "Have the 28 commanding officer respond to 116 and  
Lenox Avenue K"

UNIT "(Unreadable) on the scene"

11:54:45

11:54:50

UNIT "Any information on the perpetrators"

DISP. Is the 28 C.O. on the scene 116 K

UNIT "No Ack. "

11:55:15

11:55:55

UNIT "25 Sergeant to Central K"

DISP. 25 Sergeant go ahead

UNIT "Tell Patrolmen divert traffic, no traffic going east on  
on 116 from 7th Ave. to Lenox Avenue K"

DISP. 10-4 available 28 car to respond to eh 116th K, 116th and  
7th.

UNIT "\_\_\_ No traffic between 116 Street between 7th and Lenox K"



DISP. 10-4 available car in the 28 precinct to respond to  
7th and Lenox K

UNIT "Can we get the driver of 1961 here"

11:56:35

11:56:40

DISP. Any unit to respond to 116 and 7th

UNIT "28 David 1da to central K"

DISP. Go ahead David

UNIT "This unit will be 10-62 at Saint Lukes"

DISP. David 10-4

11:57:00

Transcript prepared by Ptl. John Kwasnick #23731 C.D.

Tape Room April 21, 1972

APPENDIX "B"

# APPENDIX "B"

ARREST DuPree, Louis 17X - B#518778  
 M-N-32  
 102 West 116th Street, N.Y., N.Y. (The Mosque)  
 AKA: Brother Lewis  
 Lewis 17X  
 Arrested by Police Officer Ivan Negrón, 25th Precinct  
 Arrest No. 1774, 28th Precinct

INDICTMENT: No. A 23672 - May 16, 1972  
 Lewis 17X DuPree

<u>COUNT</u>	<u>CRIME</u>	<u>AGAINST</u>
1	Assault 2nd Degree	P.O. Cardillo
2	Attempt to Commit Crime of Assault 2nd Degree	P.O. Negrón
3	Attempt to Commit the Crime of Robbery 3rd Degree	P.O. Negrón
4	Attempt to Commit Crime of Possession of a Weapon as a Felony - Loaded Firearm	P.O. Negrón
5	Resisting Arrest	P.O. Andre

DISPOSITION: Pending

ARREST: Hopes, Bobby 9X - B#659203  
 M-N-28  
 1060 Anderson Avenue, Bronx, N.Y. Apt. 2  
 AKA: Brother Bobby  
 Bobby 9X  
 Arrested by Police Officer Vito Navarra, 28th Precinct  
 Arrest No. 1773, 28th Precinct

INDICTMENT: No. A-23673, May 16, 1972

<u>COUNT</u>	<u>CRIME</u>	<u>AGAINST</u>
1	Assault 2nd Degree	P.O. Cardillo
2	An attempt to Commit Crime of Assault 2nd Degree	P.O. Negrón

DISPOSITION: Pending.

ARREST: Oliver, Carl - B#429963  
M-N-31  
118 West 115th Street, N.Y.C., N.Y.  
Arrested by Police Officer Raymond Sable, 28th Precinct  
Arrest No. 2104, 28th Precinct - May 16, 1972

Charges

1. Riot First Degree
2. Criminal Mischief
3. Reckless Endangerment
4. Obstructing Governmental Administration.

DISPOSITION: Conditional Discharge

APPENDIX "C"



POLICE DEPARTMENT  
NEW YORK, N. Y. 10013

U. P. 45  
P. O. 198-15

April 17, 1972

**From:** Commanding Officer, Ballistics Section

**To:** Commanding Officer, Scientific Research Division

**Subject:** SHOOTING OF PATROLMAN PHILLIP CARDILLO, SHIELD  
NUMBER 26620 - 28TH PRECINCT, 61 NUMBER 4088 - 28TH  
PRECINCT ON APRIL 14, 1972.

1. At about 1230 hours on April 14, 1972 while at the Ballistics Section Office, Patrolman Stephen Colangelo, shield number 3733, Ballistics Section was notified by Detective Johnson, shield number 2300, 6th Detective Division, Homicide/Assault Squad that Patrolman Phillip Cardillo, 28th Precinct, on-duty and in uniform was seriously injured by gunshot while inside a Muslim Mosque located at 116th Street and Lenox Avenue. Patrolman Colangelo accompanied by Patrolman Edward Keegan, shield number 16742, Detective Raymond Clancy, shield number 1985, Detective John Olert, shield number 2900 and the undersigned, all assigned to the Ballistics Section arrived at the place of occurrence at about 1300 hours.

2. Patrolman Cardillo sustained the following wounds:

Bullet wound of Entrance - Lower right chest.

Bullet Wound of Exit - Lower Left chest.

3. Bullet Damage to Winter Blouse:

- a. Bullet Hole Entrance - bullet entered blouse from inside of right side panel to outside at one inch above the bottom edge of blouse and two inches forward of the rear seam panel. This section on the inside of the blouse has a two inch powder burn/residue area.
- b. Bullet Hole Re-Entrance - (Same bullet as paragraph 3a.) elongated slit on outside of right side panel approximately three inches up from bottom edge of blouse and four inches forward of the right side vent slit - this hole also has a powder burn/residue area.

TRUE COPY

- c. Bullet Hole Re-Entrance - (Same bullet) right side of the blouse approximately 13 inches up from bottom edge of blouse and one inch forward of the front seam of the side panel. This hole has bullet-wipe.

4. It would appear that when the gunshot injuring the patrolman was fired, the bottom of the blouse was folded outward with the gun muzzle held against it, causing the powder burn/residue area to appear on the underside of the blouse. Additionally, this initial fold was also held against the blouse causing the 2nd powder burn/residue area to be formed when the shot was fired.

5. Evidence Recovered:

- a. Patrolman Colangelo, Ballistics Section recovered the following evidence from the vestibule of the Mosque:

4 - .38 caliber, deformed bullets, marked "C" thru "C3".

- b. Examination of these four bullets by the undersigned indicates that three (3) are badly deformed and the fourth MAY be of some value for identification purposes. (Identified as being fired from P.O. Navarra's revolver)

6. Property Damage - Vestibule of Mosque:

- a. Three (3) Bullet holes - rear wall.
 

One (1)	do	do	- right wall.
One (1)	do	do	- glass transom over inside door.
One (1)	do	do	- right side of glass door
Two (2)	do	do	- ceiling of corridor

- b. Eight bullet holes (excluding injured patrolman) were located by members of this unit.

7. Guns of Patrolmen involved:

- a. Number 1 - Property of Patrolman Cardillo, #26620-28th Pct. .38 special calibre, Smith and Wesson, Military and Police revolver, serial number C 840537. Fired once.

Number 2 - Property of Patrolman Negron #21020 28th Pct. .38 special caliber, Smith and Wesson, Military and Police revolver, serial number 185494. Fired three times.

Number 3 - Property of Patrolman Navarra, #28488-28th Pct. .38 special caliber, Smith and Wesson, Military and Police revolver, serial number D46488. Fired twice.

- 3 -

Number 4 - Property of Patrolman Andre #19585 - 28th Pct.  
.38 special caliber, Smith and Wesson, Military and Police  
revolver, serial number D 183691. Fired three times.

Number 5 - Property of Patrolman Padilla # 29539-25 Pct.  
Gun Stolen inside Mosque. Police department records in-  
dicate gun to be a:  
.38 special caliber, Smith and Wesson, Military and Police  
revolver, serial number D 182022.

b. It is known that the above five guns fired at least nine shots.

8. Results of microscopic comparisons will be submitted when  
completed.

Signed Thomas E. Burke

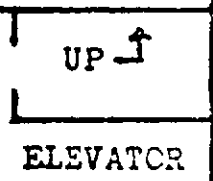
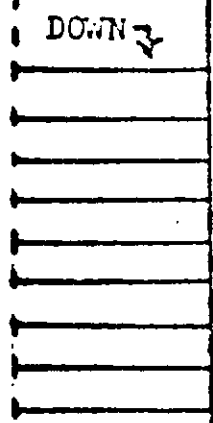
Thomas E. Burke  
Sergeant

ef



ST  
ORS  
K  
MENT

(BHE) = Duller Entrance  
REST. DINING AREA RESTAURANT ENTRANCE



2 - (BHE) in ceiling of  
Hallway

RESTAURANT

3 (BHE) on wall

- #1 thru picture 11ft above floor
- #2 under picture approx 10 feet above floor
- #3 under picture approx 5 feet above floor

DESK

BOOK  
STORE

(BHE) on side wall approx  
4 feet above floor & 6 feet  
in from door

(BHE) - glass transom  
over door

(BHE) - right side of glass  
door

GLASS DOORS

CLOTHING  
STORE

FOOD STORE

NEWSPAPER

116 STREET

1st FLOOR

Total 8 BHE

# LEMENTARY COMPLAINT REPORT

Year  
1972

Date & Time of Occurrence  
4/14/72 at 1140 hrs.

Date of this Report  
4/20/72

U. F. 61 No.  
4088

SUBJECT: BALLISTICS EXAMINATION.

About 1230 hrs. on 4/14/72 while at Ballistics Section office the writer was notified by Johnson # 2300-6th DD H&A Sqd. that a M of F on duty, in uniform, was seriously injured by gunshot while inside a Muslim Mosque located at W. 116th St. and Lenox Ave.. Injured ptl. was removed to St. Lukes Hosp.. At about 1300 hrs., arrived at scene.

INJURED: CARDILLO, Philip Ptl. # 26620-28 Pct.

WOUNDS: BWE-Lower right chest. BWX-Lower left chest.

CHARGES: Blue winter uniform blouse, BHE-Inside of right side panel 1" above bottom edge and 2" f/o rear seam. 2" powder burn residue area.  
BHRE- Outside of right side panel 3" up from bottom edge and 4" f/o side vertical slit.  
BHRE- Right side of blouse 13" up from bottom edge and 1" forward of front side panel seam.

EVIDENCE: 1-38 Cal. def. lead bullet, 146.2; ?-?; mkd-C  
1-38 Cal. def. lead bullet, 150.0; ?-?; mkd-C1  
1-38 Cal. def. lead bullet, 150.3; ?-?; mkd-C2  
1-38 Cal. def. lead bullet, 140.3; R-?; mkd-C3

PROPERTY DAMAGE: Vestibule of Mosque, BHE-Rear wall 11' above floor in picture  
BHE-Rear wall, 10' above floor.  
BHE- Rear wall, 5' above floor.  
BHE- Right wall, 4' above floor and 6' from door.  
BHE- Glass transom over door.  
BHE- Right side of glass door, out to in.  
BHE- Ceiling of corridor. BHE-Ceiling of corridor.

EVIDENCE #1: Property of Ptl. Cardillo # 26620-28 Pct.  
38 spl. cal. S&W-M&P h/b rev. # C 840537. 4" bbl, 6 chambers, blue  
Evidence of discharge in one chamber.  
Load: 1-38 spl. cal. WW Super wp discharged shell.  
5-38spl. cal. WW Super wp semi-wad lead ctgs.  
EVIDENCE #2: 2-38 spl. cal. WW Super wp semi-wad lead ctgs, taken from load.

EVIDENCE #2: Property of Ptl. I. Negrom # 21020-28 Pct..  
38spl. cal. S&W-M&P h/b rev. # 185494. 4" bbl, 6 chambers blue.  
Evidence of discharge in 3 chambers.  
EVIDENCE #3: 3-38 spl. Cal. WW wp lead ctgs.  
3-38 spl. cal. WW wp discharged shells.  
EVIDENCE #4: Gun to be delivered to Ballistics office for test and examination.

(over) B. S. #3375

Investigating Officer's name (type)  
STEPHEN COLANGELO

Investigation Officer's Signature  
Signed Stephen Colangelo

C.O.'s Signature  
Signed T.E. Burke

- 3: Property of Ptl. Navarra # 28488-28 Pct..  
38spl.cal. S&W-M&P rev. # D 46488. 4" bbl, 6 chambers, blue.  
Evidence of discharge in 2 chambers.  
4-38spl.cal. WW wp lead ctges.  
2-38spl.cal. WW wp discharged shells.  
Gun to be delivered to Ballistics office for test and examination.
- 4: Property of Ptl. Andre # 19585-28 Pct..  
38 spl.cal. S&W-M&P h/b rev. # D 183691, 4" bbl, 6 chambers, blue.  
Evidence of discharge in 3 chambers.  
3-38 spl.cal. WW wp load ctges.  
3-38 spl.cal. WW wp discharged shells.  
Gun to be delivered to Ballistics office for test and examination.
- 5: Property of Ptl. Padilla #29539-28 Pct..  
38 spl.cal. S&W-M&P rev. # D 182022  
Stolen at pl of occur.

ence recovered at pl of occur by Ptl. Colangelo-Ballistics Section.  
Johnson, # 2300-6th DD H&A Sqd., assigned.