

Planting of Pistol Proposed After Killing, Policeman Says

DEC 10 1974

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Easton police Sgt. John H. Daws told city council yesterday one policeman failed to follow orders and another proposed the planting of a pistol in the shooting death of Rob-

ert V. Strickland Sept. 23.

Daws, who was in charge of the squad sent to arrest Strickland at Kennedy Gardens Apartments, said he ordered Officer John R. Harman to wait on the Reynolds Street side of the building

where the suspect was believed to be. However, Harman waited on the opposite side, Daws told council.

Daws also said after the shooting Officer William M. Crouse Jr. proposed to him a starter's pistol be planted in the area where Strickland fell.

Crouse shot Strickland as the felony suspect fled into the Lehigh Valley Rail Road

yards across Canal Street from the apartments. Police reported they fired after Strickland turned toward them and reached toward his waist. However, no weapon was found on or near the body.

Initially, Crouse and Harman said they both fired. Later Harman admitted he had not shot. Instead, he said, he fired his shotgun into the ground on the Hugh Moore Parkway. A report by Northampton County Dist. Atty. Charles Spaziani concluded he was motivated by a desire to relieve his junior partner of "some of the tension and pressure" in the incident.

The two officers, suspended since Sept. 24, have been accused of violating departmental rules in the matter, which allegedly involved the filing of false reports. The charges, four against Harman and two against Crouse, have been filed by Easton Mayor Fred Ashton.

Council is hearing the allegations as an administrative body sitting in a Civil Service case. Council President Jay Snyder stressed the hearing is not a criminal inquiry.

One of council's first actions was to delay Crouse's hearing until such time as it could be held privately. Councilman James Masterson explained Crouse is legally entitled to such a hearing.

However, Harman elected a public hearing.

It lasted about three hours yesterday and was to have resumed at 1 p.m. today.

Harman is accused of knowingly and willfully making a false entry in a departmental record or report; knowingly and willfully being an accessory to a false entry; disobedience to orders by omitt-



JOHN H. DAWS
tells his version

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ing or neglecting to carry out a written or verbal lawful order, and failure to comply with departmental regulations.

Crouse is accused of two of the above violations.

Harman, through attorney Mark S. Refowich, denied all but one of the allegations. Refowich refused to plead for his client on the second allegation, which he said involved conspiracy. Since those accused of the co-conspiracy weren't named, Refowich said, he could not plead.

Snyder ruled a denial of that charge for Harman.

About 40 persons filled the council chambers at Easton City Hall. Four policemen were stationed in the building.

Under questioning by Henry Newton, counsel for the mayor, Daws gave this account of what preceded and followed the the shooting.

After receiving a call at about 1:25 p.m. from Officer Anthony Cappellano, who had been showing a picture of the suspect to an informant at Kennedy Gardens, Daws said he summoned Crouse and

Harman by radio. They met at the Lehigh Valley Rail Road station, Canal Street and Smith Avenue. There Daws said he told them to cover the rear of the building believed to be the one in which Strickland was staying.

Daws said he was told in a briefing at change of shifts about two weeks previously where Strickland was believed to be in the complex.

Daws said when he received confirmation on the apartment number, B-18, from Cappellano, he and the two officers headed there. They were in separate cars.

Daws said at Canal and Stewart streets Cappellano told him the exact location of the suspect. Daws said he then radioed Harman and Crouse, "Cars 4 and 13, it's the second door down from Mauch Chunk Street, Reynolds Street side."

Mauch Chunk Street is south of the building, Reynolds Street east, Canal Street north.

Daws then told how he and Cappellano went to apartment B-18, and after a brief exchange with someone inside, heard the door lock.

The officers then ran up and out of the building, emerging into the courtyard, where Daws said he saw Harman.

One of the charges against Harman is that he failed to obey Daws's order to go to the rear of the building.

"What are you doing here?" Daws said he shouted to Harman. "Get back where you belong."

Harman then started around the building, the sergeant testified.

After the shooting, Daws said Crouse, Harman, Cappellano and acting Detective Thomas Mangiafico met on Lincoln Street near the Ada B. Cheston School. The policemen were "shook up," Daws said.

Then, he testified, he heard Cappellano say, "If you do this, you'll do it alone." Daws said he did not hear the initial statement, but asserted he definitely heard Harman say he was going to the Hugh Moore Parkway to fire the shotgun.

Daws testified Crouse said he was thirsty, and the policemen went to the headquarters of the Easton Emergency Squad. When they arrived, Harman was not there, Daws said, but he showed up later and handed his sergeant a spent shotgun cartridge.

Daws also said as Harman entered the squad building, someone asked, "Did you go down there and do it?" He does not recall a response from Harman, he said.

A day later, Daws testified he met with Crouse and a worried Harman at Spring Garden and 13th streets. He was in the area on a call, Daws explained. There Harman expressed the fear of

Mangiafico "squealing on everybody," Daws said. "I'm afraid of Officer Mangiafico," Harman reportedly said. "He's got a big mouth and I don't trust these kind of people." Harman added, Daws testified.

Harman said he wanted to see a lieutenant, and Daws testified he told Harman to do so if he thought he should.

Under cross-examination by Refowich, Daws testified Crouse approached him after the gathering at the emergency squad.

"He opened his briefcase, and there was a starter's pistol in the briefcase," Daws said. He then testified Crouse said to him, "No weapon had been found, how about this weapon just being put in the area" where Strickland fell.

Daws said he then told Crouse he was going to contact one of the detectives, so a detective would know what was happening. The detectives, he said earlier, came to the shooting scene as the uniformed policemen left. Daws said he sent Crouse to Mangiafico.

Back at the scene of the shooting, Daws said he encountered detective Lt. Chester Pensyl.

"I said, 'No way this is going to take place'," Daws testified in regard to Crouse's alleged plan. "I said, 'This has gone far enough'."

Refowich questioned Daws closely on his orders to Harman.

Refowich's questions centered on the words "front" and "rear."

"Front is front, rear is rear," Daws replied, indicating the front door determines the front of the building.

Under questioning by Newton, the sergeant said in his radioed instructions he had specified the Reynolds Street, or east side, of the building.

Daws also said under cross-examination he had seen a

blackboard drawing of the Kennedy Gardens complex at a briefing, possibly in early September. He said the drawing contained policemen's names and where they were to have been stationed.

Daws also said he did not order either officer to carry a shotgun, though on calls of this sort police normally use such weapons. He did not have one because there was none in his car, and Cappellano was questioning an informant and wouldn't have been carrying one, Daws testified.

Cappellano also testified, and said he thought he had heard Daws say on the radio "he was going in with me, and Officers Harman and Crouse were to take up positions in the rear," though he added he couldn't be sure.

He also said when he and the sergeant emerged from the building, he saw Harman and Daws then said something to him. Harman headed south, Cappellano said.

When the men gathered near the Cheston school afterward, Cappellano testified, "It was stated Officer Harman was going to take his shotgun and help Officer Crouse. He was going to take the load off Officer Crouse because he was a junior man."

Newton asked who said this. "Everyone was talking about it," Cappellano replied.

He said later he saw Harman at the emergency squad, and the policeman had his shotgun opened. Cappellano said he doesn't know what happened to the shell.

Cappellano, along with Daws and Mangiafico, were accused of violations less serious than Harman and Crouse. Daws said he received a 10-day suspension on one charge and five days on the other, with forfeiture of two weeks pay.