

U.S. Files Its Rights Suit Charging Philadelphia Police With Brutality

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WASHINGTON, Aug. 13 — In a civil rights suit filed today, the Justice Department accused the Philadelphia Police Department of shooting nonviolent suspects, abusing handcuffed prisoners, suppressing dissension within its ranks and generally engaging in a pattern of brutal behavior that "shocks the conscience."

The sweeping charges were leveled against the entire Police Department, which is the fourth largest in the country. It was the first time the Federal Government had moved against alleged police brutality by suing an entire police force rather than individual officers.

The suit, filed in Federal District Court in Philadelphia, accused the City of Philadelphia, Mayor Frank L. Rizzo and the Police Department of violating the basic civil rights of "persons of all races, colors and national origins."

Rizzo Makes Retort

It specifically accused Mr. Rizzo of initiating many of the illegal practices when he served as Police Commissioner from 1967 to 1971 and of insuring the continuation of police brutality as Mayor.

Mr. Rizzo called the suit "complete hogwash."

The 28-page complaint filed by the Government, which was personally signed by Attorney General Griffin B. Bell, cites alleged abuses committed by the Police Department. Though no names and dates are given, the incidents cited paint a picture of a cruel, uncontrolled police department in which violence against suspects and prisoners was encouraged and covered up.

The suit named 20 top-ranking city and police officials along with Mr. Rizzo, including the Philadelphia Medical Examiner, Dr. Marvin E. Aronson, and the Superintendent of Prisons, Edmond Lyons.

Major Charges Listed

The allegations concerned the following major issues:

Use of deadly force. Shooting criminal suspects who cease flight and offer to surrender; shooting nonviolent suspects who could be apprehended without the use of deadly force, and recklessly shooting innocent bystanders.

Street procedures. Stopping pedestrians and motorists without probable cause, then physically abusing them if they protest; physically abusing handcuffed prisoners; detaining persons without proper cause, and conducting illegal searches and seizures.

Investigation of abuse. Maintaining a "purposefully fragmented system" for investigating complaints to assure that investigations are inadequate; putting pressure on complainants to withdraw their complaints about abuse, then closing investigations prematurely, even

when there is substantial evidence of abuse; taking statements from witnesses "in a manner calculated to justify the shooting rather than to determine the facts;" physically abusing witnesses, including victims, or shooting to discourage them from disputing the incident; impeding investigations of police shootings by outside law enforcement agencies, including the Justice Department, and intentionally excluding evidence in investigations that impeach the credibility of police officers.

Disciplinary system. Deciding whether to discipline accused officers before investigations are complete; only rarely disciplining officers involved in incidents of on-duty shootings to encourage policemen to use unwarranted deadly force, and commending and promoting officers who have abused suspects and prisoners.

Training. Failing to provide sufficient training for new officers in the use of deadly force, including "deliberate refusal to instruct on when not to use such force," and failing to provide psychological services to help officers cope with stress.

Harassment of critics. Harassing political leaders and racial minority groups, monitoring and harassing officers critical of the police department, particularly black officers, and intimidating critics of the Rizzo administration.

Court Order Sought

In the suit, the Government asked for a court order forbidding the Police Department to engage in these practices and threatened to withhold Federal funds from Philadelphia until reforms were made.

The suit said that the Philadelphia police shot approximately 75 persons every year and received more than 1,000 complaints a year.

The Government charged that the police practices violated four Federal laws, including the Civil Rights Act of 1964, and six amendments to the Constitution.

Justice Department officials said today that the department was investigating allegations of police brutality in three other cities and that those investigations could result in suits similar to the one filed today. The three cities are Houston, Memphis and Mobile, according to Justice Department officials.

The allegations of brutality in Philadelphia and Houston are longstanding ones. The Justice Department investigation that led to today's suit began eight months ago.

Earlier this year, the Civil Rights Commission conducted hearings in Philadelphia and Houston on the conduct of their police departments. The commission chose Houston because of numerous complaints of police abuse made by Mexican-American residents.