Interview with Rick Chapman and Shelly Yanoff  
December 6, 1976

RC: the first question is how did the idea of using the recall provision of the 1951 city charter in order to remove Mayor Rizzo from the office of mayor arise, and how did ADA conclude that it would be able to obtain enough signatures for a recall petition to meet the requirements of the charter? Shelly and I were at the meeting where this question first arose -- it was December 1975 ADA board meeting, which was just on the heels of Mr. Rizzo's most recent triumph and restoration for another four years. And the notion was brought up by other members of the board of directors and Shelly and I were the most vivid opponent of the concept. The reason for that is relatively simple and that is that when Shelly was Executive Director of ADA she and others initiated the recall of Isadore Bellis, which is the only other time that provision of the charter had been used. And I came to work for her for about a month at the end of that and so the two of us were two of the few people around in Philadelphia who had had any first-hand experience with the recall drive and that drive failed for want of a sufficient number of signatures. It was more difficult in many ways than the Rizzo recall because Bellis was representing a single councilmanic district and the signatures that were required to remove him all had to be registered voters in that district and at the time for want of sufficient number of volunteers we concentrated very hard at the end of the Bellis recall in gathering signatures in public places in his district. And we were getting as a result an awful large percentage of signatures from people who did not reside in the district, although we had no ready way to know that. People did not know what councilmanic district they lived in and we were kind of winging it. We ended up turning in about 20,000 signatures in that effort. We needed 14,000. But we knew even the day we turned them in that we did not have enough in-district signatures of registered voters.

To come back to this one, at this ADA board meeting in December I think more out of frustration than anything else and also with a sense that the tax crises was going to errupt a resolution was passed directing me to look into whether or not recall could be undertaken. So in terms of ADA's commitment to it I would say it had begun although very staggeringly at December of '75 at that board meeting. And I did do what I was supposed to do which was that I went around and inquired of others whether or not they were interested in participating at all.
But the question asks how we concluded that we would be able to get enough signatures. I can't say how others reached that conclusion but there was a decisive event in my judgment about whether or not recall was viable or not and that occurred as a result of a story that was planted in the Daily News in early 1976. Rizzo was trying to remove Pete Camiel as city chairman. In an effort to head off that removal the Camiel forces were doing whatever they could to save his neck and to make it look like Rizzo was in trouble. Among other things that they did in that attempt was since there was a little bit of talk in town about a recall although I don't think anybody was taking it too seriously. I believe the Philadelphia party sometime in January or even in December had some formal meeting of their body and decided also to pursue a recall directed at Rizzo. The Philadelphia party was formed as a vehicle for Charlie Bowser's candidacy for mayor in November 1975 and the party did quite well in their judgment in that election and still existed as a body after the election and continues to this point in time. Anyway, to finish this, Vince Fumo, who was one of Camiel's lieutenants and was patronage chief of city committee at the time, called Fred Hamilton of the Daily News and encouraged Hamilton to write a story about the fact that a recall was in the wind. As it turned out Hamilton called me because I think Fumo told him that ADA was one of several groups that were considering this. Hamilton wrote a relatively small piece in late January, which got buried somewhere in the back pages, but I was the only person quoted by name in the article and ADA was the only organization that was mentioned as actively pursuing it. As a result of that for two days after that article appeared in the Daily News our phone literally rang off the hook. We frequently get phone calls in response to public issues but we had never gotten a flurry of phone calls like that and the people who called represented themselves not as ADA members and most of them were entirely unknown to me and I've been involved in a lot political campaigns in the last couple of years in the city and felt that I knew most of the very active people. These were all strangers and many of them represented themselves as having voted for Rizzo and all of them were deeply angry at the fact that taxes were going to have to be raised and raised severely. The fact that 100 people would call the ADA office and would do it as the result of one article in one newspaper meant to me that we were sitting on top of a potential volcano. I had never seen a response like that and that persuaded me that there were more than enough people that were going to support it.

SY: My addition to Richard's answer would be that it seemed to me somewhere in late January the Philadelphia party voted to definitely go ahead with recall and at that point the executive committee at ADA told Rich to keep watching it but that we were not to get into it yet and I think the state
legislative hearings occurred then in terms of emergency legislation required to get the tax increase through for the city. When the state legislators came into Philadelphia I did go to several of those hearings and heard people say I voted for Rizzo twice and I wouldn't vote for him today. I've been deceived. At that point the two issues clearly were the tax issue and the lying to the public about the fiscal situation and the PGH closing, which was announced somewhere in late January or early February. This was right after a series of exposes on how the municipal hospital's funding had been gutted and that it was not providing good medical care and the mayor suddenly announced the closing of the hospital and didn't come out with any other plans.

I personally did not get involved or think that recall was viable until the Inquirer incident which was March 19 and my understanding, although I was not at the coalition meeting which had played a major role in setting up exploring the recall, that was about March 29th and that was when the decision was made to really go ahead. It seemed those three issues brought with them an enormous amount of people who would never have been involved in the left or progressive wing of Philadelphia politics.

The Inquirer incident -- in terms of time frame there was a satirical column on the mayor the second week in March. The mayor announced that he was going to sue the Inquirer, that it was outrageous, and he was very angry. Several days after that allies of the mayor surrounded the Inquirer and Daily News building for ten hours, blocking the entrance, and police watched and were requested by several reporters to aid them in terms of entering the building and reports were that police told the reporters that if they entered they would be beaten up or arrested for assault and several reporters were manhandled. It seemed to me at that time that there was a major threat to freedom of the press and that it was time to say stop. Many other groups in the city who ended up not supporting the recall were outraged at what happened at the Inquirer. The Greater Philadelphia Partnership and the Chamber of Commerce both asked publicly that the mayor reaffirm support of the U.S. Constitution, that what happened was mob rule. The mayor to my knowledge never did reaffirm support of the constitution.

(WMP: I don't think it is clear on the record what happened at the Inquirer -- who led it?)
The Building Trades Council, the head of which was at that time Treasurer of the Mayor's branch of the Democratic Party and subsequently became the Treasurer of the Democratic Party, surrounded the building and they claimed it was a labor incident and that they were protesting the Inquirer's reportage and editorial policies which were anti-labor. It was clear that that was really a facade, that it was not a labor dispute, that there were no members of any Inquirer or Daily News employees that were represented by the Building Trades Council. It seemed clear to most people that this was a Rizzo supported if not engendered picketing and that there was clearly a threat of force.

I never knew -- I really was not sure from the beginning whether we would get enough signatures, but I thought that nevertheless it was something that had to be done at that time.

RC: The organizational meeting was held on March 24. We held a meeting to which I had invited a lot of people, the Philadelphia party had also invited a lot of people. I think about 70 people came to the meeting. They represented maybe five or six Democratic ward leaders, there were several unions represented, including the hospital workers and the electrical workers, and at that time the Citizen's Committee to Recall Rizzo was formed. A steering committee was designated at that meeting and it was they who met several days later and began setting up a time frame within which this would be done and they started looking around for a director of the effort and it was agreed to hold the kick-off press conference on April 1, which was what we did.

In the intervening months I had contacted the Republicans. Ed Russell, who is a member of ADA's board of directors, had gone to Meehan and Devlin with no luck at all and had gotten word very firmly back from them that they were not going to participate and were not interested. We had approached some experienced signature gathering people in the form of Max Wiener of the Consumer Party, who practically owned the corner of Juniper and Chestnut with their various assaults on Blue Cross and others. They attended the meeting on the 24th and refused to join the recall, a position which they rescinded about 3 weeks before the recall ended. And they were responsible for gathering in those weeks about 10 or 20 thousand of the 200,000 signatures that were ultimately turned in. I had also contacted the Senior Citizen's Action Alliance, the Gray Panthers, a variety of groups like that. I had approached the city-wide council of community organizations. I had gotten, except for the Gray Panthers, negative responses all around town. Rizzo's victory was very substantial and very
fresh in many people's minds. A recall effort that was going to fail was unanimously received as just strengthening Rizzo's hand and nobody thought that it was going to work.

By contrast, also during these months, we have going on things like one of the radio stations picked up and editorialized about a recall and how they supported it and again it brought another spate of phone calls. When I testified before the House Committee which was going to have hearings on Rizzo's tax package, I floated the notion of the recall because we wanted to get it out into the public air a little bit and again the press reporting and just that mere mentioning of the possibility of it brought more phone calls. I felt during those months very ambiguously. On the one hand all of us thought that a recall that was led by or perceived by being led by the mayor's traditional opponents was by that very fact weaker than it would otherwise have been and we spent a great deal of time trying to dress it up and make it look like it was somebody else in hopes that we could wean more public support for it that way. There was nobody who was willing to go out front on this except people who had been out front for a long time. On the other hand, in terms of whether or not there were people there who wanted this done and whether or not public sentiment on Rizzo had shifted as a result of these areas that Shelly has mentioned, all the evidence was that indeed there was plenty of support there. We were faced with this dilemma that we kept wrestling with through March which was that the people were with us but there was nobody there to lead them except us.

In any case on April 1 we held a formal press conference and announced -- the conference was mobbed. The national television networks all sent crews down from New York to cover that -- they were all angry at Rizzo because of the incident at the Inquirer. I think that led a great deal of credibility to the recall all along, especially in the early weeks, was the fact that we didn't do anything that the national press didn't cover it. And it is one thing for the local tv stations to say there is a recall and it is another thing for Walter Cronkite to say it. And that is the kind of coverage we had when we started and I think it made a very big difference.

Generally speaking, that's how we got started. We announced on April 1st that we would start gathering signatures on April 17th and we had a formal ceremony at Independence Hall. And then on June 16, which is 60 days later, we turned in 211,000 signatures.
There were others that we knew of but none of them were terribly recent. The Mayor of Camden had been recalled in 1930 and several mayors in Los Angeles, which is the model for our home rule charter, had been recalled also. But I don't know if any of that was within anyone's memory. Certainly the newspapers had to scramble like crazy to find any kind of precedence when they started researching the matter. And I don't know that we ever consulted any of those efforts in terms of making judgments about how to conduct our own. In fact I'm sure we did not.

Now the second question is what sort of bill of particulars did ADA prepare in support of its position? I'll give that one to Shelly.

SY: In reality the bill of particulars came very late in the campaign. It came after two weeks that we had been on the streets and that is really four weeks after our announcement. It was clear from the beginning that the three issues were the fiscal situation, PGH, and the Inquirer, and we were obsessed with getting the petitions out and setting up a system and getting volunteers and we really did find that it was the kind of movement whose time had come. And every time we would go to put down exactly why we were doing the recall we ran into the kinds of problems where certain people wanted to stress one thing and others wanted to stress the other and in fact it was so clearly such a controversial issue that everybody knew what we were doing and it wasn't until three weeks later that a formal bill of particulars as such was prepared and that was just kind of a brochure and it was based on you gotta draw the line somewhere and it named the issues and additional issues were the continuing expansion of the patronage payroll with a diminution of municipal services at the same time that Philadelphians were being asked to pay more and more taxes and the continued abuse of power. And we looked to the charter, which was very specific in rejecting an impeachment type procedure and rejecting cause -- a listing of causes -- as necessary for a recall. The charter is very populist in that provision and says that recall is based on the fact that public officials hold the public trust and that when a sufficient body of people are willing to put their names down that they should not have to have a specific list of grievances. And really our bill of particulars were clearly the three issues and they could be expanded by various people who wanted to include additional ones. The one line that we absolutely held firm on and that was that no issue was to be used that was known and proved before the last election.
Our position was that this was not a re-run of the last election. Our position was in fact that that election was invalid because there were the kind of deception and things that came in afterwards were not known to the public.

RC: I think in fairness to the question, ADA did not do this. In other words all the activities of the recall at this point are being done in the name of and on the behalf of the Citizen's Committee to Recall Rizzo, which did not consist by any means entirely of ADA people, although I would say it was half ADA and half the Philadelphia party, which is where the leadership came from.

Also, I want to say in answer to this question that I thought that for a while there we were consciously avoiding and trying to communicate to people that as a matter of fact no charges were necessary and that we were trying to stay away from coming up with naming this or that as a particular grievance around which everybody had to rally. We were catching some flack about the fact that we weren't saying what was the matter. We were catching a little bit in the press. And I really thought the best statement of it all was the piece that Shelly wrote for the Op-ed page of the Bulletin, which was towards the end but was in response to the complaints we were getting. It really did go over the Rizzo record in terms of how the deceit in the 1975 mayoralty election had led to various consequences and these things had happened since then and I thought articulated very well not only what one might charge Rizzo with but what as a matter of fact was driving people to do all the work involved in gathering the signatures.

I'll read this third question -- when the effort got underway was there any effort on the part of the Rizzo administration to stop it? I'd like to hear Shelly's answer to that, but my own would be that as far as we could tell there was no systematic effort on the part of the Rizzo administration to frustrate the recall in any way. There were certainly people in the Rizzo political apparatus who were trying to intimidate individual circulators of petitions, but beyond that I would say there was no systematic effort. I frankly think that in the first half of the recall when the signature gathering was going on they didn't believe that it was going to work and they did not take it seriously. It wasn't until much much later that there was any kind of acknowledgement on their parts that something was happening to them that might be very dangerous.
I must say our paranoia was very high-pitched and in terms of the actual physical petitions themselves, when we got them back we tried to make it a point each night to have them either locked away in an office of the building we were using which had no relationship to us. Or, and more often, we had them locked in a safe deposit vault in a bank because we felt the only real damage that anybody could do to us during the course of that was a direct assault on the accumulated signatures, which began to number 100,000 after a couple of weeks and we guarded those very carefully.

SY: I'd like to add that there were before we started getting petitions on the streets -- there were rumors that people had seen other petitions that said they were recall petitions. So we never saw one of those petitions, but we did get several phone calls that they were about and so we were concerned from the beginning that a ploy would be to have the Rizzo forces circulating a petition and then when anyone was approached they would say they had signed already. I believe from the beginning that while the fear element was strong in Philadelphia and I think that that atmosphere is something that Rizzo does cultivate, but that Inquirer incident show of force was clearly what was bringing the nation-wide publicity and it seemed to me that the political strategists in the Rizzo movement were really keeping a lid on it to those people that they controlled in terms of no active harassment or violence kind of thing because it would reverberate clearly against them. It would bring back the Inquirer incident and it would bring back earlier the Jefferson-Jackson day dinner in which allies of the mayor had engaged in physical force. So I think that part of their strategy was to pretend that it doesn't exist and certainly not to do what --. We did have -- we of course when we heard rumors of harassment or that kind of thing we were faced with the dilemma in terms of whether to publicize it or not because it would frighten people -- our workers as well as potential signers. We always would play it very low even when we had heard that people were being harassed. But I would say that in general it was pretty low-key in terms of harassment.

One of the things that was informative about the political climate of the city was that the police never bothered anybody. The police were very friendly and an awful lot of policemen signed the petition. As did firemen. That was another sort of link in the chain of evidence that we could get away with this. Early in 1976 there was an election for new officers in the Fraternal Order of Police and the Rizzo-backed slate had lost which was to everybody's surprise and the reporters carried the account that outside the FOP hall the policemen were chanting Rizzo's next when it was clear what the results of the election were. And we had an awful lot of information and many complaints that the firemen bitterly resented the elevation
of Joe Rizzo after he had failed so miserably the exam to become a Deputy Commissioner and he was of course very strongly into all the trivia -- haircuts and the whole business and there was an awful lot of resentment. So the petition circulators were never bothered by the police and in fact many times policemen would come over and sign it. So the atmosphere for the petition circulators themselves was generally a very pleasant one and they were not badly treated by officialdom anywhere.

SY: The other thing was that the mayor did finally consent to several interviews with his selected reporters and his stance was these people have always been against me -- they support busing, pornography, they oppose capital punishment, they support abortion, they are those people who represent a way of life that I oppose and will continue to oppose. And he was trying to brandish this into a philosophical leftist movement, which was clearly not what we found. While it is clear that that was who the leadership was, nevertheless we had a lot of people in traditional Rizzo areas that were out there and they certainly opposed very vigorously the definition of philosophy which was behind the movement.

RC: The next question is did any civic bodies or other groups openly support Mayor Rizzo and oppose the recall effort. Oh, I skipped a question. Were any of the civic agencies or its leaders friendly to the effort (recall) either formally or informally? I would say no.

SY: We ended up having three groups, but they were not what are generally considered civic agencies. The Coalition of Black Trade Unions, the Tenant Action Group, and a branch of the Republican party -- the Young Republicans. It was one of the problems that we found from the very beginning. We wanted very much not to be in the leadership role, but there seemed to be no one else who was willing to take him on.

RC: I think that answers that. As far as I know everybody in Philadelphia stayed right where they were publicly. That is, the Republicans were in support of Mayor Rizzo. They condemned the recall -- openly and directly. That, for some reason, made headlines. Beyond that, the Philadelphia Partnership was not interested at all -- they were dealing with the tunnel and were opposing Rizzo on the tunnel, which caused their collapse a short time later because they couldn't come together even on that issue. The Committee of 70 was not interested at all.

SY: Thacher Longstreth -- it was never clear whether he was
speaking for the Chamber or not, condemned it, which was very shocking to those of us who had worked very hard for him when he ran for Mayor against Rizzo. He said it was an unstable kind of thing that would be very bad for business in Philadelphia. At the same time he did send this public letter condemning the Inquirer incident and urging the mayor to say he was sorry in some way.

RC: We did from the beginning promise, as we could under the law, anonymity to those contributors who wanted it. This was not an election campaign and therefore we were not required to file reports of our financing. There were, therefore, people who although not publicly identified did support the recall financially. I myself to this day do not know who those people were.

SY: One of my favorite stories is one day going in very early to the recall office and there was a piece of white paper with no heading with two different typewriters being used that said we are city workers and we cannot support you openly, but here is a contribution.

RC: There were others like that that came through the mail.

When we were through, the day the Supreme Court decided, which was September 30, when we did our bookkeeping two days later we had a $6,000 deficit. We have fortunately been able to make up most of it since then. The debt was entirely ADA, which usually is not in a position to fund large sums of cash to anybody, but it just so happened that we had a very successful dinner in the Spring with Carter and Udall and therefore we had 7 or 8 thousand dollars in our books. And since we went immediately to work for the recall, most of our expenses over the summer were paid under the heading of the recall committee.

SY: I guess one other thing that somehow should be involved in the signature gathering reportage was the primary in which the mayor supported Jackson for President and Carter campaigned all over the state against Frank Rizzo, which came to light much later publicly, but it was clear that that leant another kind of legitimacy.

RC: We think for the same reason that he did not appear later at the rally at 15th and Chestnut with Jimmy Carter when he came to town, which was for fear of being booed, which he was at the national convention. You may not have heard the anecdote which I love which was that at the caucus of the Pennsylvania delegation at the convention, prior to going on the floor, they were announcing which delegates had not shown up and resigned, and so forth. And somebody stood up and announced
the fact that Mayor Rizzo had resigned in the course of listing others, and Governor Shapp quipped "as delegate or as Mayor?" which got a two-minute standing ovation from the Pennsylvania delegation. And there were recall Rizzo banners hanging from the gallery at the Democratic National Convention. There was an awful lot of evidence that he was very unpopular.

The next question is how many volunteers were enlisted in the gathering of signatures on the petition and what devices were used in winning general public support of the recall?

SY: About 3,000 volunteers and the support was there. I think that we continued, although we were not successful, in finding people who were not traditional anti-Rizzoites to lead it. We continued pursuing that kind of vein.

Every piece of literature that went out was not to be in any way shrieking or anything like that. It was kept very reasonable and I think that was the only thing that we did. We did not have to call the press; the press was there. After all, we were fighting their battle. And it was an idea that had that kind of support. The only thing we did, and we had a continuing problem in trying to get all the signatures that were there to get those people signed up. And we did switch our strategy, which had been in the beginning to try to go door to door everywhere. We switched that to going to a lot of public places.

RC: I think that in fairness, we did try in the beginning to gather signatures door to door and at polling places on the election day, April 27. The reason for doing that, of course, was that if the volunteer had a street list and could see presumably, how the individual's name was actually recorded on the voting rolls, because it was our belief, and it later turned out to be true, that the signatures were going to be challenged on that basis. That if they were not exactly signed as they were registered to vote that the signature would be thrown out. I think also we have to say in fairness that one of the things that helped win general support for the recall was its early success. Shelly and I knew from the Bellis recall that the hardest part of the whole business was getting signatures back. That is, if you gave someone a petition and you gave them 60 days in which to gather names you may as well forget it. And we set up an apparatus in which anybody who got the petitions, they were due back in three weeks. And the biggest mechanical problem we faced always was in having petitions notarized. That is, a petition sheet, which had room on it for 170 signatures, but did not have to be filled out entirely for it to be valid, but that petition sheet, the person who circulated it, only one person could circulate that sheet and that person when they were done had to appear
in front of a notary public and sign the back of the petition, swearing that they had witnessed all the signatures and they believed all the individuals to be registered voters in Philadelphia. Now getting several thousand people in front of notaries repeatedly was quite a project. However, having been through this once we did know a little bit about it and I think it was enormously valuable for us to have done this once. We cultivated a string of notaries, Shelly became a notary, as did several other people on the staff, and we had the thing set up in such a way that within a three-day period, three weeks after the recall had started, we were going to get back everybody's petition we had given out and we drove our ward coordinators to make people bring these back and we had notary meetings set up repeatedly on all three nights in all different parts of the city and after the first time we had 80,000 signatures which we announced to the press. And I think that added a lot of credibility. I might say too that I think that was the only mistake we made in the recall effort in terms of tactics -- and I think it was largely my fault, although I don't think it was entirely my fault -- was that we decided not to gather signatures in polling places in the Northeast on election day. That decision was based largely on a meeting that I had gone to that was kind of an organizational meeting for the people in the Northeast. It was our judgment and it was the judgment of the people at that meeting that they didn't want to be at the polling places. The rationale was that generally speaking in the Northeast the committeemen would have been Rizzo supporters and an individual coming to the polling place might be very reluctant to sign a petition in front of a hostile committeeman on the grounds that this would then be reported back or the committeeman himself would take offense at this and revenge it in some way. So whereas we did try to cover polling places elsewhere in the city, we withdrew from doing it in the Northeast and figured that people would be more likely to sign if someone knocked on their door and they could do it in the privacy of their living room.

The way I've always viewed Philadelphia is that the very strongly pro-Rizzo Philadelphia, namely, South Philadelphia, Kensington, and the lower Northeast, is offset directly by Black Philadelphia and liberal Philadelphia, the Northwest Philadelphia. And the third of Philadelphia that decides everything all the time is the Northeast. In my view of it, we didn't have to go anywhere near South Philadelphia. We were interested in doing it because people down there did volunteer and some wanted to sign, but by contrast, we had an enormous number of volunteers in the Northeast. That was
territory that had supported Rizzo the last time and it was there that we saw the turn-around that we thought would make the difference, and it was there that we had to make decisions and I think the only mistake that we made in terms of the decisions was the one not to cover the polling places on election day there. On election day we caught hell. The phone rang all day -- where are you? The only reason I went to the polling place was to sign the petition. And we literally had people coming in cars from Northeast Philadelphia to polling places in Mt. Airy and Chestnut Hill so they could sign the petition.

SY: Now again we were working with volunteers and we could say this is what we want to do and hopefully many times they will take your advice. But obviously, if anybody wanted to cover a poll anywhere in the city we said fine. But we did not pull people from one place to the other.

RC: I think that the experience we had in the Bellis thing made a decisive difference in making this work in that we knew we had to get large numbers of signatures back immediately and we knew how to do that and we did it and it worked.

SY: I think another problem that we had in the beginning, we tried not to give out petitions from the central office. One reason was paranoia and the other was concern about not getting it back. We thought Mayor Rizzo might be having people call up and take our petitions and then we would never get them back. We do not have any idea yet about whether that happened and the degree that it happened because it was very hard. We gave out a lot of petitions that we didn't get back but we don't know what happened to them. As a result of feeling that the Rizzo forces might try to infiltrate and get a hold of our petitions, when people called up to volunteer we took their names and then said that somebody would get in touch with them from their area and then we would give that to the ward coordinators who were really the major most important parts of the recall effort. We at central office were just servicing them. But some ward coordinators would take two days to get a petition to somebody and some would take a week and what you lost in terms of enthusiasm and time was a critical question that we always confronted and yet we felt that it was important that the ward coordinator who gave out the petitions would then see the person and tell them when the meeting to turn them in would be and so there would be some additional kind of identification and also that by having it be somebody in your neighborhood it wouldn't be so easy to kind of throw them away or destroy the effort.
RC: We're coming in a sense to the 7th question which was was there any organized opposition to the undertaking? I think we answered that. But the next question was were signatures recruited in neighborhoods as well as in downtown Philadelphia and if so, how was that worked out? And Shelly is referring here to a ward structure, which is essentially what we created. Some were tried and true people who had been down the pike many times in political campaigns. Others were brand new people who had not done it before. I should say that in many ways the success of the recall was on the shoulders of the ward coordinators because it was they and only they who were in direct contact with individual volunteers and it was they who did not believe the first time we tried to get people back. We really were very heavy-handed with people in terms of getting them to keep records. All the petitions were numbered in sequence. Roughly speaking we knew who had which petition and we were pushing our ward coordinators very very hard to keep track of whom they gave each petition to because we told them they would have a hard time getting them back. They didn't believe that until the first round was over and they realized that only a third of the people showed up. And we pushed and shoved and screamed and yelled and finally they came around to seeing that you really had to torture people and keep excellent records to make sure that you were getting this stuff back.

That ward structure I would say accounted for the bulk of the signatures. We did out of the central office run a down-town table, which was in the same place every day. That effort gathered tens of thousands of signatures. In many ways those were our worst signatures because the volunteer at the table had no idea whether the individual was registered to vote and also had no idea whether the individual was signing their name as they had registered to vote. By contrast, the worker in the neighborhood had the street list and could go door to door and point out to the person exactly how their name appears on the street list and therefore in terms of the numbers of valid signatures that we got the best signatures came from the neighborhood effort.

RC: I don't think ADA per se has ever had to try to set up a structure like this. Certainly Shelly and I had both worked on a number of political campaigns where in essence we were doing exactly the same thing, although the work we were trying to get the volunteers to do was quite different. But the structure was identical and so in many ways it was quite a familiar task for us to undertake in terms of putting it together.

SY: One of the things that was very tricky in this campaign that was different from other political campaigns was the holding back of committeemen or ward leaders in most instances who you would think would be friendly to you and so in some
of your most active areas we had overlapping ward coordinators, one from the Philadelphia party and another one, plus in several wards in which particularly before the primary in which there was a hot contest on which what we would view as the good guys were split, we were confronted with who do you make a ward coordinator without turning off the other side.

RC: Let's go on with some of these questions. Did the Republican city committee or any of the Republican political leaders give either direct or indirect help to the effort and we've already pointed out that the city committee was publicly opposed. By contrast, we did have Republican committeemen working in some places, although not in great numbers. I don't remember that we had any support from Republican ward leaders. When later in the summer for our own purposes we were doing a very large statistical sample of the signatures and some attempt was made during the course of that to roughly review of the signers what party they were in and it seems to me it broke out pretty much in terms of registration in the city. That is, a third of the people in the city are Republicans, and the number of signatures that came from Republicans seemed to be in approximately that percentage.

SY: While we were still collecting signatures in the beginning Arlen Spector came out against the recall, really saying it wouldn't work. Subsequent to that, after we had turned it in, Spector announced support for the recall, as did Bea Chernock, and it was clear that Ethel Allen was going to as soon as the State Supreme Court ruled in our favor. So many of us looked at that with some hope in terms of generating a change in the leadership of the Republican party, which seems to exist only in the crumbs of the Democrat machine right now.

RC: The next question is did any segments of the Democratic party assist in the effort?

SY: Those ward leaders who were with us at the beginning. And many committeemen from the more liberal areas. And Camiel after he was deposed as city chairman.

RC: I would guess we had several hundred Democratic committeemen. I do not think that those people were assisting because they were members of the Democratic party or because they were being compelled to do so by the ward leaders.

Next -- what efforts were made in order to obtain publicity and a general feeling throughout the city in support of the recall. I guess we've answered that before.
RC: Do you know what the general sentiments were of the downtown leaders of the business establishment?

SY: In general I would say not supportive.

RC: I would agree. There was nobody condemning it except Thacher Longstreth, who you would take to be a spokesman for that community. I didn't hear anybody else making any public noise, either for or against, but there was certainly no support forthcoming either directly or indirectly that we could identify.

SY: One of the both tragic, in my view, and yet very positive things about the recall was that the leaders didn't lead and the people grabbed the leadership from their leaders. That is both exciting in terms of people feeling they can do something, but it is a severe indictment of who passes for leaders in Philadelphia.

RC: I think we complained to the press that as a matter of fact there was no leadership in Philadelphia. That the business community followed rather than led and I think this is a fair sample of that.

(WMP: Do you think that ADA's status in the community has gone up as a result of the recall?)

I think that is very clearly true. As I told you, we were very concerned in the beginning to make this seem like it was not just ADA. We were very sensitive to the reputation that we have in the city and one of the things that I was most impressed with as a result of the whole effort was that people really didn't care where the leadership came from. Certainly as the thing heated up and looked like it might go somewhere, people started tagging it as the liberals. And it didn't work. People didn't care. And as a result of that I would say that in the measure it looked like we undertook something worthwhile and made it go and in the measure in which people had some direct dealings with us who had never had it before, I would say there is no question that ADA's stock has risen as a result of that.

Now, here's a beauty, Shelly -- in one of our recent interviews a prominent political person said that he had "hard knowledge" that the Supreme Court was fixed in regard to the recall. He said that young Nix was reached because of his father, that Mandarino was reached because of his Italian ties, that O'Brian was reached through Bill Meehan (his father had put O'Brian on the bench) and that the Chief Justice was reached for Rizzo through Dave Randall, counsel for Temple University and also through Natalie Saxe. Do you have any information which supports this?
SY: We have additional rumors. Dave Randall is Chief
Justice Jones' brother-in-law. Mandarino's brother is
majority whip in the state legislature and has strong political
ambitions. We were told that Meehan and Devlin had condemned
the recall about May; two days before the state Supreme Court
would hear the case, they again condemned it. And we were
told that that was kind of a signal to the Republican justices.
We don't have any hard knowledge. The intriguing rumor that
we had was that Nix, Sr., who was engaged in a very tough
primary, that he really lost the primary, and that when he
(he won by 300 votes) and when those polling places were
challenged in court and they wanted to open 50 polling places
they were told in court that they had to open all of them
and put $50 apiece out rather than only those that were
specific and that the rumor is that that ruling was in
exchange for Nix, Jr.'s later vote on the recall case.
We again have no hard knowledge on it. It certainly is
hard to read those opinions and believe they were reached
for justiciable grounds.

RC: I have to tell you a story, I don't know what it is worth.
The day that Judge Savitt rendered his decision upholding
the recall petition and ordering the referendum placed on
the Nov. 2nd ballot, we had a flurry of phone calls, congratulatory
and otherwise. Among them was a call I happened to take
in which a person, who did not identify themselves, said
do you expect these people to appeal this to the Supreme
Court? And I said of course. They've done everything they
can to delay this. At which point the person said I just
want to tell you that Chief Justice Jones is in a great deal
of financial trouble, that he has a wife who is spending him
out of house and home and has been for years, that he is
very anxious to get off the bench and is looking for a secure
position so he can leave the bench and make a little money.
And if Rizzo can arrange a job for him, you're sunk. Now,
there was nothing I could do with that information, so I
really forgot about it until I read four days after the
Supreme Court had issued its opinion that indeed Chief
Justice Jones had been given a position with the Dilworth
firm and is leaving the court in January to take that position.
At which point of course this conversation promptly jumped
back into my consciousness. I understand that the arrangements
for Justice Jones to get a job with the Dilworth firm were
actually made by someone who supported the recall, so I have
a very difficult time seeing that -- but nonetheless, I agree
with Shelly, not being an attorney, but certainly being able
to read election law, the opinions I think are a disgrace
and there is some other accounting of those events.

SY: The next question is was the decision by the Supreme
Court which ruled against the recall anticipated by ADA?
Clearly not. We thought from the beginning, which turned out
to be rather ironic that if only we could get to the State Supreme Court and not go through the Court of Common Pleas that we would be in very good shape. We felt that it would be very difficult with the kind of power that Mayor Rizzo held to get a fair opinion out of the Court of Common Pleas but clearly the precedence of the State Supreme Court in terms of what is a valid signature, etc., was on our side and right before we turned in the petition when Gaudiosi announced that he thought that the recall was unconstitutional we thought that was ridiculous and he was talking about the U.S. constitution at the time. And Jefferson Fordam, who was at Utah at the time, but had been Dean of the University of Pennsylvania Law School and is a recognized authority on municipal and federal governments, telegramed a decision reviewing 14 other cases on recall with positions very similar to ours in which they had all been upheld as constitutional and we clearly did not anticipate any problem with that.

RC: We also did not anticipate a negative response— the precedents are very clear that the Pennsylvania Supreme Court in its prior rulings has over and over again acknowledged the fact that other methods of removal, other than that prescribed in the Constitution, that other methods are indeed constitutional and legal under Pennsylvania's constitution, and not only Chief Justice Jones in his opinion, and Justice Nix, in his, in which he was joined by Justice Mandarino, they clearly acknowledged that they were overturning all these precedents and they just say that they cannot square those precedents with the constitution as they read it. And it is their overturning of those precedents which is the basis for our request just this past week to have a rehearing before the Supreme Court because Greg Harvey is arguing to the court that the court itself has said on several occasions in the past that if a statute is definitively construed by the Supreme Court and then is reenacted in the law in the same language, in some revision of the law, or what have you, that you are not just reenacting the statute you are reenacting the construction put upon it by the court and therefore, since the definitive ruling on the constitutionality on other methods than impeachment, since those major decisions were made prior to the 1966 redoing of the Pennsylvania constitution, Gregory is arguing that as a matter of fact they are not overturning precedents, that they are overturning the constitution because by readopting the same language in 1966, the voters were in essence adopting the constructions put upon that language by the Supreme Court in its prior interpretation and therefore the Supreme Court in this position has gone further than any boundaries that it itself would allow and is in fact rewriting the constitution. Now, we don't expect them to find that argument palatable, since we are quoting O'Brian against himself, which puts him in an awkward spot, but nonetheless, I think that in terms of our anticipations about the recall and how it would fare in the courts there is no
question that we felt that the recall issue was not an issue at all. I mean the constitutionality was not an issue at all. We felt we were safe as could be on that one. I think also in fairness we have to say that when we first considered legal action regarding the recall petition there was some sentiment in favor of our going directly to the Supreme Court and I think for purposes of making an historical record, we ought to acknowledge the fact that we made discreet inquiries as to which judge would get the case if indeed we went to Common Pleas court and it was only when we had some assurances that it was going to be Judge Savitt that we went ahead and brought our petition to Common Pleas Court. I think not because anybody thought that Savitt was necessarily friendly to us, but at least that he was not on the other side and that we might get a fair shake. That was the crucial item, but I think we have to say that.

SY: On the other hand, in the end we didn't have the decision to make because the other side went into court first.

RC: That's true, but I think we had accepted the fact that we would go to Common Pleas rather than the Supreme Court.

SY: However, we were concerned, on the other hand, at least some of us, that when Sheldon Albert went in and he had made discreet inquiries and he knew which judge was going to get it — when he went in asking for an extension, and therefore then we didn't even have a choice as to which way to go. And the Supreme Court was not in session, which was another problem — we could not take it right up to the Supreme Court. It was clear that they were very happy as to who they had gotten and in fact throughout the summer Judge Savitt continually ruled against us. And any sitting in on those hearings one would be hard-pressed indeed to think that Judge Savitt was on our side. The city commissioners asked for an extension of 35 days and Judge Savitt gave them 40. We asked for a ruling in terms of the subpoena issue — our circulators were being subpoenaed and we viewed that as harassment and we wanted some cause stipulated as to why they were being subpoenaed. He refused to get involved. We went to federal court and Judge Gorby said the issue was not ripe yet, since our people were not showing up since they were administered subpoenas. In answer to question 15, also the one thing after the State Supreme Court argument that was a concern was that the issue of the circulators not having testified that it might be remanded for further testimony. That was in our view the worst that could happen, but we really were convinced that we were going to be on the ballot on election day and we were very busy planning for the election. So it was clearly unanticipated.
RC: Yes, we went out and spent a lot of money. I still have some 20,000 vote yes for recall buttons. We were so confident about it. We thought we were safe as could be once we got by Savitt.

If we could back up just for a moment -- when we turned in the petitions on June 15, the city charter stipulates that the city commissioners have 15 days in which to validate the petitions and they are supposed to search the petitions and see whether or not there are sufficient number of apparently genuine signatures. As you know, what in fact happened was that they brought in a host of handwriting experts -- very expensive ones -- and started checking every signature in great detail, comparing it with the individual signature as it appeared on the voter registration. And therefore the first issue that came before the court was whether or not the city commissioners could go beyond the 15 day stipulation in the charter.

(tape unclear at this point)

RC: There are some other questions here -- what is ADA doing to overcome the effect of the Supreme Court invalidating the recall provision of the city charter?

I would say at the moment we are not doing anything. I don't think anybody knows what to do and I have not heard nor do I have any specific proposals to this. One of loose notions that floats around is that we should attempt some kind of constitutional amendment which would permit this. That seems to be a very benign notion but almost impossible to put into effect. We do have a petition before the court, filed last week, for the opportunity to reargue, but nobody expects that to come to anything. I feel that it is an excellent final response by Greg Harvey, who I think has had a very good track record in election cases in the Pennsylvania courts and elsewhere and I think this is a bitter defeat for him, I think. Not that anybody attributes it to any failing on his part but nevertheless he lost a very big serious case that has a great impact on Philadelphia and elsewhere and it seems to me in terms of the intellectual exchange that goes on here, he is scoring the last and the best points because I think as a matter of fact he has caught them at something that they should not have done, namely, they have overlooked their own rule that definitive contructions are incorporated into laws when they are passed and therefore are not liable to overturning. But practically I don't think anybody expects it to come to anything and most of us feel that the recall is entirely dead.
BR: A lot of the opponents of recall were opposed to it because they were afraid that if it failed it would increase Rizzo's strength. Do you feel that that happened?

RC: Well, people certainly articulated that as one of the reasons why they would be reluctant to get into it. The most vivid case of that I think in many ways was Max Wiener and the Consumer Party but they ultimately recanted that and joined in. I do not know anybody who in my opinion sincerely withheld their support from the recall for that reason. It seems to me that Rizzo has been disgraced and embarrassed everywhere. It has gotten national and international attention. For example, the reporters who followed Carter in the Spring realized that the best response he was getting in Pennsylvania was his attacks on Rizzo and he therefore used that in every stop he made in Pennsylvania once they got onto the fact that it was getting him a decent response and I would think that even just looking at the situation from an outsider's point of view, where has there been such an effort to throw a mayor out of a major city? Who is this clown and what has he done it seems to me is the logical question. And so I would say on a statewide basis we have done him a lot of harm. And also in terms of Philadelphia, it is hard to say. One of the barometers of that will be next Spring's primary. Other barometers of it will be when he tries to change the charter.

I do not see ADA opposing the charter restriction that one resign from office to seek another. ADA historically has been on record for a long time as opposing that provision in the charter. I also think that politically there is just no mileage in opposing that change in the charter -- city officials are the only ones who have to live under that restriction and it does seem unfair that they alone should have to suffer that particular penalty. The other question, however, on the two-term limit it seems to me will be the recall election. It they try to remove the two-term limit so that Rizzo can fulfill his ambition to become emperor of Philadelphia that indeed that is when we will have the recall election. We've been frustrated, but we're going to have it.

SY: I just want to retrace. Paul Weinberg was one person who viewed the recall as just adding to Rizzo's power. It seemed to me from the beginning that that was foolish. If he got away with the Inquirer incident, he owned the Democratic party in Philadelphia, he had control of city patronage and the state patronage, where was he going to get more power? He owned the fire department, L & I, the police department, from where would this new power come? I never have been able to understand those people.
RC: Your next question was does ADA anticipate an assault on the two-term limit of the charter and would you oppose it? I think clearly we would and there has been an awful lot of discussion lately about whether or not to form some kind of group ahead of time to oppose it before they would try to sell it to anybody. We're just trying to weigh out the advantages and disadvantages of such a move. I think that we would not be alone. My view of it is that that would be the recall election. Most of the people who wanted a chance to vote on the recall either way will seize this opportunity as the place to express whatever their sentiments were on that particular issue. There is a whole other group of people in Philadelphia who I think will oppose the continuation of Rizzo forever; that certainly one person in that group would be George Schwartz, the President of City Council, who is on record publicly and repeatedly as opposing any lifting of the two-term limit. And I think there are other politicians in the city who are generally allies of the mayor but have no interest at all in seeing him remain beyond a second term. It seems to me just in sheer technical terms since it requires a two-thirds vote by city council to get the question on the ballot I do not believe the mayor has two-thirds of city council on that issue. We can count 8 out of 17 votes against. He can get around that by gathering signatures, believe it or not. If he goes and gathers 20,000 signatures and petitions city council to put the question on the ballot then the number of votes in city council is reduced to a bare majority, which I do think he can muster, but I think it will make him look bad.

I think Rizzo is in a very bad trap now. I think again he has survived some things in the past and he has come out of some rather odorous piles looking like a rose and he may do it again. But it seems to me that this is the time to stop him. I would love to see him run for Governor because I think he would lose and that would discredit him further. Beyond that, it is a question of when they are going to put it on the ballot. I think that too will have a great impact on the outcome.

SY: Going back for a minute to the recall, we thought that if one of the things we were concerned about when we knew we were handing in more than the number of signatures required and we did a check because we had promised everybody that we would not turn them in unless we had enough signatures that were valid. One of the things that was concerning us was suppose they take 15 days to declare it valid and in August have an election. Now that would be a special election. Many of our people would be on vacation somewhere. We wouldn't have time to raise money. Plus if you vote on the recall on
a special election it seems to me that the pro-recall areas would be very bloody indeed because would be coming out to vote on that question and one could anticipate that certain areas would be voting against the mayor. So we felt very strongly that we needed the cover of a general election. It didn't have to be presidential, but we needed an election in order to get the vote out.

I wonder -- I guess the best time to put that on would be the Springtime. People don't get very exercised in general in this town about voting for DA or Controller. And I think that it is possible that depending on who the Rizzo forces put up there would be some kind of exchange for support.

RC: It could get very tricky in the Spring. There may be a lot of political maneuvering to arrange for support for a charter change in exchange for some of these offices.

There is one question here which we have not addressed at all which is do you have any evidence that Rizzo is retaliating against the people who signed the petition?

SY: While the signatures were being checked we had people call the office and say how does anybody know I signed? I work here and somebody came here and said I wouldn't be continuing to work. I have a contract to fix locks. And they told me that they know I signed and I better be careful. We do not have any hard evidence. We are concerned with the fact that on everybody's master registration card there was a mark put on if they had signed, for valid checking reasons. So that if it is marked that you signed, then when your name comes up again it is not counted again. We have demanded that there be erasures. We understand that the erasing is going on. We don't know how thoroughly it is going on. Plus if there is an erasure mark on your card, that is another problem. We do know that there were ward leaders going in to see who had signed in their ward, but we don't have any hard evidence of retaliation. My best guess is that there is probably not. And maybe there will be.

RC: My sense of this is that they want this to die entirely and the worst thing they could do is to start getting even with people and creating some sense that they are going to do that and then reminding everybody all over again that there was a recall.

The other questions here regard whether this has been helpful to ADA and if there is some kind of unexpressed approval of
ADA's effort which could serve as a basis to help keep Rizzo in line? I sort of answered that before. I think our stock has gone up, but whether or not our enhanced standing is of any value in keeping Rizzo in line, I wouldn't pretend to answer that. It seems to me that he gets away with whatever he can get away with and our attacks on him may have a little more weight in the future than they have in the past, but the only impact they ever have is not in terms of public disapproval but is in terms of formal action by some other agency of government which has the power to do something about it. Beyond that, he does whatever he can get away with.

RC: The next question is would you comment on the opinions finally published by the State Supreme Court? I think we've already done that. I would like to take up two items related to that. One of the items that was brought before Savitt was that a certain percentage of the petitions should be rejected on this basis -- that the affadavit taken by the circulator of the petition was invalid because more than 25% of the signers of that particular sheet were not registered voters, therefore the conclusion drawn by Sheldon Albert and also by the City Commissioners (they threw out signatures on this basis) -- the argument was that the circulator of the petition in essence took a false affadavit because if 25% or more of the signers were unregistered voters than obviously the circulator was not making an effort to get signatures of registered voters and didn't really know whether the people signing were registered voters or not and therefore all the signatures on that particular sheet of the petition should be thrown out because the circulator took a false affadavit.

The second issue that was raised before Savitt -- Savitt disposed of that one, by the way, by saying that all the person was swearing to in the affadavit was that to the best of his knowledge the person was a registered voter and also when the matter came into court the individual petitions that were presented as evidence in this regard were questioned by Greg Harvey and it turned out that in some cases the city commissioner's staff acknowledged that they had made mistakes and that on one petition 95 out of 100 signatures were valid signatures, but they were rejected. The staff was making mistakes all over the place. It was a very sloppy effort.

The second issue that came before Savitt was the argument that 115,000 signatures had to be thrown out because the petition was notarized by either the attorney for the recall
committee. It is true that Greg Harvey did notarize some petitions for us at some point. We were short a notary. Or, that they were notarized by staff members of the recall committee, which was true. Shelly was a notary and other people working for us were too. And they notarized an enormous numbers of petitions.

The third category was the most offensive -- was that anybody who not only signed the petition but also circulated a petition and who then acted as a notary on any other petition was deemed to have a vested interest in the outcome as were of course the staff members of the recall committee as was the attorney. Therefore, under Pennsylvania's notary law anybody who has any kind of an interest in the outcome is not allowed to act as a notary and take oaths relating to these matters. Therefore, those signatures were all to be thrown out. Now the city commissioners ruled that that was an acceptable interpretation of the law and by that time they had invalidated so many signatures that if they invalidated 115,000 more we would have been down to below zero signatures. They threw out about 240,000 signatures out of the 211,000 signatures that we turned in.

But the most distressing part of the Supreme Court's argument from my point of view was that Chief Justice Jones it seemed to me was trying to do a hatchet job on the petitions and accepted the argument that if you have lots of invalid signatures all the valid signatures on the same sheet could be thrown out as well. Plus Jones and Nix and Mandarino, who concurred with Nix, accepted that argument that the notarization by staff members, by the attorney, and by anybody who also circulated a petition -- those notarizations were unacceptable and therefore all of those signatures had to be thrown out.

Now Savitt's view was that that was not an offense against the notary law and that if it was you can't frustrate the will of the signers because of some technical defect on behalf of the notaries.

So what we have in the Supreme Court decision is that we have 3 of the 4 justices in the majority, all four of whom accepted the view that the recall was unconstitutional. Three out of the four accepted the view that the notarizations were illegal and therefore these 115,000 signatures should be thrown out. Now, from where I sit, a secretary in a law firm who does most of the notarizing is in exactly the same position as a staff member of the recall because her salary depends on the outcome
of the litigation and therefore has to have a vested interest in the outcome the same way that a staff member of the recall committee would have a vested interest in the outcome of what they are notarizing. And I don't think anybody is going to press Jones's opinion in this matter and I don't know that it becomes law. But it really shows to me that at least on the part of Jones, Nix, and Mandarino, that they were trying to find as many grounds as they could to throw out the petitions and make it look like at some several vantage points the petition had failed. Whereas in fact it seems to me that the fact that they are willing to go to such absurd lengths shows that some other factors were at work in producing that decision.

SY: If I could just add two things -- one is an anecdote. The day that the city commissioners voted to throw the petition out when the notary question came out -- and actually Albert argued that anybody who had indeed signed and then notarized another petition was also displaying an interest. Again, supposing you didn't sign -- don't you have an interest in the other side? The thing that was very remarkable to me was that our attorney at that time asked Mr. Albert who notarized things in the city solicitor's office and Albert said I don't know. Because that would be displaying the same kind of interest. And then they wanted to ask the rest of the city solicitors who were at the table. And Sheldon Albert first started to answer for them -- he said they don't know -- and we went down the line and each attorney said that they had no idea how indeed things were notarized in the office. We did have some people who went to public notaries -- notaries that we did not know -- to have their petitions notarized and I am aware of four who refused to notarize them. And I think that the construction on the notaries was just outrageous because it seems you have an interest if you wanted to remove Frank Rizzo but you don't have an interest if you don't.

The other thing in terms of commenting on the Supreme Court's opinion -- whether there was a direct fix, we can't prove at all. It is clear that the Supreme Court justices are a product of the political forces in this state and our experience would show that most politicians view with anathema recall because it is unseating and threatening and it means you can't have a free ride. People throughout the term that you have been elected for can have some lever on you. And it seems to me that regardless of whether there is any kind of direct, corrupt influence that went into the decision, I think there was clearly a view from those people who view recall with the same anathema that ward leaders and elected officials in other capacities do and therefore they were going to substitute their wisdom for that of the electorate.
RC: There are some other questions here which seem to relate to the future -- but there is one anecdote which you must have here which is -- it seemed to me in many ways to summarize the relationship between the recall committee and officialdom all along the way here. On June 15, when we went to turn in the petitions, we took them to the city commissioner's office which is on the first floor of the City Hall annex and if you have ever been in the registration office there they have a 100-foot long counter in which they register people to vote. And we went in and the petitions were put up on the counter, which was like the demilitarized zone because behind the counter are the city commissioners and all of the forces of evil, from our point of view, and of course on the other side of the counter is all of us. So there was like 100 people on one side and 100 on the other and the petitions were in the middle. We wanted a receipt for the signatures and we wanted them to count them. So we had prepared a log. When we turned in the petitions we numbered them in sequence again, bound together. We turned in 35 volumes that had roughly 150 apiece. We had prepared a log which showed by each volume and the number of each petitions how many signed lines were on each of the petitions. And we thought we would facilitate their counting of it by turning over a copy of the log to them. And we thought they would just go through and check our figures. So nothing has happened yet, there is just this enormous confrontation going on and a lot of hostility going back and forth across the counter. And Greg Harvey said to Margaret Tartaglione, the chairperson of the city commissioners, he said that the citizens committee has prepared this log and we hope that it will facilitate your counting and we would like a receipt. At which point Mrs. Tartaglione looks at the first petition and looks at the log -- rips the first petition out of the binder and holds it up and says Mr. Harvey your log says that the first petition has 73 signatures on it, but anybody can see that it has 74 on it. What does this show, Mr. Harvey? And of course this is the opening and I'm just dying because we made up the log and if there was a mistake on the first one -- and Greg Harvey says without a moment's hesitation -- it shows madame chairperson that you cannot read. And as a matter of fact one of the lines on the first petition had been crossed out, so we were giving them an honest count by saying it was 73 even though the signatures ran down to the 74th line. And I thought that kind of captured our standing. On the one hand they were always very aggressive, very hostile, and very stupid -- despite all their efforts all the way down the line, except for what I personally believe to be a fixed decision at the level of the Supreme Court -- they failed all along the line. We had done it and we had done it properly and we were better prepared than they were. And despite their hostility and despite their efforts, we were in good shape.
And it seemed to me that that incident captured that. That right there at the first moment, we had it right and they had it wrong.

(WMP: What do you think is the evidence that the Supreme Court decision was fixed?)

RC: I would say that the evidence is both intrinsic and extrinsic. The intrinsic evidence is the poor quality of the opinions which supposedly justified the position. Again, not being an attorney I don't know how much my opinion counts on a matter like that. The extrinsic evidence I would say is all the talk you hear and all you know about how the Supreme Court comes to be and who is on it. The only other thing I heard is that after the recall case started and was in white heat, although it had not gone to the Supreme Court at this point, Howard Geddes was seen in Jones' chambers a number of times by various people in Harrisburg. Howard Geddes was the mayor's personal attorney.