

1
2 COUNCIL OF THE CITY OF PHILADELPHIA
3 PUBLIC MEETING
4 BEFORE THE COMMITTEE ON LAW AND GOVERNMENT

5 - - -
6 Tuesday, 5/7/02
7 10:31 a.m.
Room 696, City Hall
Philadelphia, PA
- - -

8 RESOLUTION 020171 - Authorizing the City Council
9 Committee on Law and Government to conduct a full
10 and comprehensive investigation of allegations that
11 biological and chemical research was forced upon
12 people incarcerated in the Philadelphia prisons
13 during the years 1949 to 1974.

14
15 PRESENT: COUNCILMAN DAVID COHEN, Chairman
16 COUNCILMAN ANGEL L. ORTIZ, Vice Chairman
17 COUNCILWOMAN JANNIE L. BLACKWELL
18 COUNCILMAN RICHARD T. MARIANO
19 COUNCILMAN MICHAEL A. NUTTER
20

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2 COUNCILMAN COHEN: I'll start with a
3 brief explanation as to why we're in Room 696
4 instead of the Council chambers. There was a
5 serious leak on this floor which leaked down into
6 and flooded the Council chambers and put it out of
7 commission. We thought it would be back by now but
8 I'm not sure whether it's going to be ready until
9 next fall. So the courts very graciously consented
10 to our use of this courtroom.

11 Therefore, if some of the facilities are
12 not quite up to par, please forgive us. We're
13 doing the best we can under these makeshift
14 arrangements. This is where City Council is
15 conducting all of its business until the fourth
16 floor Council chambers is available.

17 Beyond that, let me say, as most of you
18 know, though I probably predate everybody in this
19 room, I have had a very active Council life since
20 1968 -- that's about 34 years. I've participated
21 in hundreds of hearings considering all kinds of
22 issues, and I have to state that in my judgment,
23 this is probably the most important hearing that
24 I've ever been involved in because it deals with
25 human life, it deals with the responsibilities of

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2 government agencies, it deals with what is the
3 responsibility of government to the people it
4 purports to represent. It's the responsibility of
5 the government to the people, not to the
6 pharmaceutical companies or to universities, but to
7 the people who they elected to protect their
8 interests.

9 This is a hearing in which we're going
10 to try to give every party their right to speak.
11 We've notified the University of Pennsylvania,
12 we've notified the City of Philadelphia, the
13 Mayor's Office; we've notified the two major
14 chemical companies, the pharmaceutical companies
15 that were involved in what's alleged to have been
16 what seems to us to have been a horrendous process
17 of human experimentation in which human beings,
18 because they were vulnerable, because they were in
19 prison -- some for reasons that later turned out to
20 have no basis whatever -- were subjected to human
21 experimentation, where they were taken advantage of
22 because the folks, mostly male, almost all
23 African-American, many with limited education,
24 were -- all of them poor, were exposed to the
25 temptation that for a few dollars, if they signed a

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2 document which claimed to indicate that they were
3 fully informed about all of the dangers, they would
4 forever give up any rights if they were hurt, and
5 that there would be certain medications offered to
6 them, and they freely accepted it.

7 Everybody knows, even today, that those
8 statements were fraudulent because the people who
9 were asked to sign were usually people who had very
10 little knowledge about their rights, the
11 circumstances which render them vulnerable to any
12 pressures. That's why in 1974, while these
13 experiments were ongoing in the prison system in
14 Philadelphia and probably elsewhere, the federal
15 government passed a law banning these kinds of
16 experiments.

17 The experiments we're talking about
18 occurred in the Philadelphia prison system; that's
19 why I'm so concerned because I have on my right
20 Councilman Ortiz, the Chairman of the Public Safety
21 Committee, and I'm Vice Chairman of that committee.
22 Our responsibility is for what takes place in the
23 prison system, to see that humane treatment is
24 afforded all prisoners.

25 To my left is Councilwoman Blackwell,

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2 the Majority Leader of City Council, who, on many
3 occasions, has distinguished herself in the cause
4 of the rights of human beings in Philadelphia,
5 particularly the poor and those who are disabled to
6 protect themselves.

7 What we want to find out is if these
8 stories are true and let each party present their
9 case. Let's see to it that the City of
10 Philadelphia government ceases its dangerous
11 stance. Instead of answering the questions,
12 they've tried to hide behind legal technicalities,
13 because in a lawsuit which is pending, the defense
14 of the University of Pennsylvania, of the City of
15 Philadelphia, and of the pharmaceutical companies
16 is not to attempt to justify what they're doing but
17 to try to avoid having to answer publicly what it
18 is that they participated in. Therefore, they come
19 up with arguments about the statute of limitations,
20 saying, Even if you're right, you're too late.

21 We don't think that that kind of defense
22 makes any sense; we think it represents a disregard
23 for basic principles of morality and justice.

24 I must say I'm waiting for the Mayor of
25 the City of Philadelphia to answer the comments of

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2 his press assistant that he's surprised that City
3 Council would be doing something on behalf of the
4 people who are suing the City. Well, by God, if
5 the City is doing anything wrong with confidence in
6 the government, the City must come forward and
7 apologize for what it's done wrong, and we must see
8 that every action is taken to rectify that what was
9 wrong is being corrected. That's our duty, and if
10 we're ever to have a government that's to have
11 respect of the people, that must be where we stand.

12 But we're listening to evidence today.
13 we're going to have evidence of people who lived
14 through this period, and we're going to give an
15 opportunity to everyone -- the pharmaceutical,
16 chemical companies, the City, the University of
17 Pennsylvania. Everyone's going to have a chance to
18 speak.

19 Now, that may not all be doable today,
20 and I want everybody to know in advance that the
21 hearings are going to recess at about approximately
22 12:30 today and will be continued into the next
23 date, which will be Tuesday, May 28th, the day
24 after Labor Day [sic].

25 Please, when you testify, be as brief

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2 and concise and to the point as you can. We want
3 you have to a full opportunity to tell us your
4 story.

5 Other members of this committee are
6 occupied on other Council business at this time,
7 and whenever they get a chance, they will be coming
8 in to participate.

9 Our final action will be -- and I can't
10 tell you when it will be. When these hearings
11 finally conclude, it is my intent, as chairman of
12 the committee, to urge upon this committee the
13 issuance of a public report, which will find the
14 facts as this committee finds them to be following
15 listening to the testimony.

16 Having said that, I'm going to call the
17 first witness -- I've been informed -- oh, I will
18 have the clerk of the committee read the title of
19 the resolution. Tim?

20 THE CLERK: Resolution No. 020171,
21 authorizing the City Council Committee on Law and
22 Government to conduct a full and comprehensive
23 investigation of allegations that biological and
24 chemical research was forced upon people
25 incarcerated in the Philadelphia prisons during the

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2 years 1949 to 1974.

3 COUNCILMAN COHEN: Mr. Kearney, I would
4 request that you read the entire resolution in this
5 instance, 'cause I think all of the allegations are
6 very important.

7 THE CLERK: The Council of the City of
8 Philadelphia, Office of Chief Clerk, Resolution No.
9 020171, authorizing the City Council Committee on
10 Law and Government to conduct a full and
11 comprehensive investigation of allegations that
12 biological and chemical research was forced upon
13 people incarcerated in the Philadelphia prisons
14 during the year 1949 to 1974:

15 Whereas, it has been alleged that
16 thousands of men and women who were incarcerated at
17 various Philadelphia prisons, including Holmesburg,
18 the House of Correction, the Detention Center, for
19 a period beginning in the 1940s and ending in 1974,
20 were used as test subjects for medical and chemical
21 testing; and

22 Whereas, this was allegedly done with
23 the full knowledge and assistance of the City of
24 Philadelphia, which was responsible for the care
25 and custody of the individuals incarcerated in its

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2 institutions; and

3 Whereas, the individuals were
4 purportedly subjected to testing conducted
5 primarily by the University of Pennsylvania and
6 doctors associated with the University; and

7 Whereas, the testing was allegedly
8 funded by various pharmaceutical and chemical
9 companies, including, but not limited to, Johnson &
10 Johnson and Dow Chemical, as well as the United
11 States Army; and

12 Whereas, the prisoners were purportedly
13 subjected to tests of unknown and harmful drugs,
14 chemicals, and radioactive materials, which caused
15 them incalculable physical harm and damage; and

16 Whereas, the companies involved in these
17 experiments allegedly made millions of dollars in
18 profits, none of it is shared with the subjects of
19 their experiments; and

20 Whereas, the University of Pennsylvania
21 allegedly sanctioned these experiments as
22 appropriate and ethical; and

23 Whereas, many of the people so
24 imprisoned and upon whom this research was
25 allegedly performed are still alive, with numerous

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2 of them living in Philadelphia; and

3 Whereas, many of such people have
4 purportedly become ill or died as a result of said
5 experimentation, and many have illnesses and
6 injuries that remain to this day; and

7 Whereas, this group has been effectively
8 blocked from legal and moral restitution by the
9 same governments that allegedly subjected them to
10 these experiments; and

11 Whereas, this experimentation on the
12 people in the prisons, if true, violated their
13 constitutional and human rights and are a moral
14 blemish in the City of Philadelphia.

15 Now, therefore, resolved by the Council
16 of the City of Philadelphia that City Council's
17 Committee on Law and Government is hereby
18 authorized to conduct a full and comprehensive
19 investigation into the nature, character, and
20 effect of the chemical and biological research
21 forced upon the people incarcerated in the
22 Philadelphia prisons during the period from 1949 to
23 1974 and the appropriate remedies for such
24 involuntary experimentation;

25 And further resolved that the

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2 chairperson of the committee, in furtherance of
3 such investigation, is hereby authorized to issue
4 such subpoenas or other process, as he deems
5 necessary or appropriate, to compel the attendance
6 of witnesses and the production of documents to the
7 full extent authorized under Section 2-401 of the
8 Home Rule Charter.

9 Thank you.

10 COUNCILMAN COHEN: Thank you,
11 Mr. Kearney.

12 Let me add one thing to what I said
13 before. This is not a matter which affects only
14 the members of City Council or the officialdom in
15 the City of Philadelphia. Every Philadelphian
16 bears responsibility for the actions of the
17 government, because if the government acts wrongly
18 and we as citizens do nothing, we're responsible
19 for that wrongdoing.

20 Most Philadelphians overwhelmingly know
21 nothing whatever about what took place in the
22 prisons. So successful has the City of
23 Philadelphia government, the University of
24 Pennsylvania, and the chemical companies, so
25 successful have they been in hiding these facts

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2 that if you were to go out among the people of
3 Philadelphia, you would find that over 99 percent
4 would not know anything about this.

5 Therefore, it's very urgent that we let
6 the people who are responsible for seeing what kind
7 of government we have in Philadelphia, it's urgent
8 that we left them know.

9 And so, one of the major purposes of
10 this hearing is to make it clear that from this day
11 on, no one in Philadelphia will be able to say he
12 or she is blameless 'cause they knew nothing about
13 it. They will know, following these hearings, what
14 took place; they will be able to form their
15 judgment; and they will be able to be held
16 accountable for their action.

17 And I think those of us have the honor
18 of serving that government ought to be able to wear
19 that honor with distinction, rather than to have to
20 cringe everytime everybody says, Is that the kind
21 of government you had in Philadelphia?

22 So it's time to get to the facts. If we
23 were right, let's come forth with that statement;
24 if we were wrong, let's admit it and let's make
25 sure that it never happens again.

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2 All right, thank you very much.

3 The first witness will be Mr. Leodus
4 Jones.

5 (Witness comes forward.)

6 COUNCILMAN COHEN: Mr. Jones, be good
7 enough to identify yourself for the record, and
8 then at the beginning, tell us what your role is in
9 this.

10 Will the Sergeant-at-Arms help Mr. Jones
11 make sure he can be heard by everyone.

12 MR. JONES: Okay, thank you. Good
13 morning, Councilman Cohen and Councilwoman Jannie
14 Blackwell and Councilman Angel Ortiz.

15 COUNCILMAN COHEN: Good morning.

16 You're going to have to speak into the
17 microphone and with vigor and force.

18 MR. JONES: All right, I can do that.

19 My name is Leodus Jones, and I'm here as
20 a representative of Community assistance for
21 Prisoners on the behalf of the experimentation
22 survivors. The role that the Community Assistance
23 for Prisoners plays in this is the fact we serve as
24 ex-offenders -- a prisoners' rights advocate group
25 for offenders and ex-offenders. And so, therefore,

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2 we got involved in this, and we trying to do all
3 that we can to assist to see to it that these men
4 and women get reparation.

5 I understood you say to be as brief as
6 we possibly all can, but we all have testimonies
7 here. Will we be able to read those testimonies?

8 COUNCILMAN COHEN: Yes. And speak
9 directly into the microphone and try to project
10 your voice so that everybody can hear you clearly.
11 Don't rush so that you speak clearly and
12 distinctly.

13 Thank you.

14 MR. JONES: Yes, sir. Okay.

15 Community Assistance for Prisoners,
16 hereafter referred to as "CAP" is a community-based
17 organization with a history which spans over two
18 decades. In spite of our limited financial and
19 human resources, CAP has constantly demonstrated
20 the noteworthy level of commitment and dedication
21 to meeting this targeted population needs.

22 We welcome the opportunity to testify
23 before you today in reference to the
24 experimentation that took place in the Philadelphia
25 County prisons sponsored by the University of

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2 Pennsylvania, headed by Dr. Albert M. Kligman,
3 head dermatologist of the medical research
4 department at University of Pennsylvania. I'm one
5 of the survivors.

6 The most horrifying, humiliating,
7 embarrassing, and depressing experience I've had
8 was to allow myself to be used in the human
9 experimentation/medical testing that was taking
10 place in the Philadelphia County jails.

11 Horrifying because I knew little
12 concerning the test. I believed what I was being
13 told by those who posed as doctors wearing their
14 white coats. As a child, I was taught that those
15 who wore white coats/white collars were to help
16 heal the sick and men of God, only to learn in my
17 later years that I must be made aware of the
18 imposters.

19 The embarrassing side of this all was to
20 learn that I was played, accepting kibbles and bits
21 for the use of my body, while corporate businesses
22 and the U.S. government, along with the medical
23 community, made millions. I'm upset because after
24 all of these years, I woke up to the realization
25 that I was the victim of cohesion, manipulation,

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2 exploitation, and deceit, along with hundreds of
3 others, some do not wish to make it known that they
4 took part in these studies because they have since
5 made major changes in their lives for the best.
6 Either they are embarrassed or afraid to come forth
7 out of the respect for their families or losing
8 their jobs or, in some cases, being sent back to
9 prison.

10 Since the book Acres of Skin hit the
11 shelves in bookstores across the country, some 30
12 to 40 men have come forth, not to mention the women
13 that were also used. These men wish to be heard.
14 They want the public to hear directly from them
15 what their lives have been like since the experience
16 and the suffering they have experienced. They know
17 now that they have been misused and abused.

18 This has been extremely depressing.
19 Their only wish now is to not be misrepresented and
20 to be compensated for their pain and suffering by
21 all parties responsible.

22 For over 30 years, this sort of practice
23 has been conducted by the medical community, Ivory
24 Research, as well as corporate business and the
25 like, understanding that the City of Philadelphia

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2 and the Commonwealth of Pennsylvania were at that
3 time our caretakers. Today, we realize that they
4 were more concerned about dollars and cents than
5 human welfare.

6 Let us examine the results of
7 tests/sorts, let's explore. Men became bald. Some
8 developed sores from shampoo studies. Some of the
9 prisoners' sweat glands were removed, toxic
10 chemicals placed on their skin. Mind-altering and
11 hallucinating drugs were being used. Toothpaste
12 leaving men with no teeth or useless teeth studies.
13 Pill studies from cancer, STDs, sperm tests,
14 athletic foot tests. The list goes on and on,
15 involving the Hippocratic Oath, the Medical Code of
16 Ethics and the Nuremberg Code.

17 To this day, there has been no known
18 follow-up treatment. For too long men/women who
19 participated in these studies have been left with
20 unexplainable illnesses. Primary-care physician to
21 this day do not know what the medical problems are
22 that these men are suffering from, nor do they know
23 how to treat them.

24 Who's footing the bill? What should be
25 done concerning this?

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2 The Universal Declaration of Human
3 Rights adopted two of the four freedoms: Freedom
4 from want and freedom from fear.

5 Freedom from want is economic freedom
6 that involves basic economic rights of individuals;
7 decent standards of living, without which,
8 individuals are easily targeted for exploitation,
9 abuse, and inhuman treatment. Without freedom from
10 want, there is no human dignity.

11 Freedom from fear serves as the basis
12 against murder, torture, slavery, and genocide
13 anywhere in the world.

14 Human rights consideration was equally
15 central to the trial of the Nazi doctors by the
16 U.S. Military Tribunal at Nuremberg (December 1946
17 to August 1947). At this trial, 23 doctors and
18 scientists accused of torturous and murderous
19 experiments on concentration camp inmates were
20 sentenced to death and life imprisonment. The U.S.
21 judges sitting in the judgment of these doctors
22 rejected the defense argued that the defendants
23 only followed orders by their superiors. Following
24 orders was no excuse for harmful dangers and
25 inhuman treatment.

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2 The judges ruled that certain basic
3 principles must be observed in order to satisfy
4 moral, ethical, and legal concepts. The judges
5 articulated a set of ten research principles, known
6 as the "Nuremberg Code," that centers on the human
7 rights of research subjects, the first of which is
8 the right of subjects to refuse participation in
9 research, and the ninth is the right of subjects to
10 withdraw their participation to an experiment at
11 liberty.

12 The contribution of Nuremberg was to
13 insist that human rights, equality and dignity, and
14 human worth of men and women are universal. They
15 transcend state sovereignty, state laws and
16 practices.

17 When developed countries conduct
18 research in developing countries where poverty,
19 endemic diseases, and low investment in health care
20 are the main, they violate human rights because
21 poor and desperate people will consent to anything.
22 They are able to give free, voluntary, and
23 understanding informed refusal.

24 What the experimentation survivors is
25 asking for is: Follow-up medical treatment at the

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2 expense of all parties responsible; compensation
3 for pain and suffering; financial support towards
4 rehabilitation programs for offenders and
5 ex-offenders; and for the lawmakers to introduce a
6 bill to stop future practices of this sort, and; a
7 public apology from the University of Pennsylvania
8 for the wrongdoings that they have denied until
9 this day. This is what the experimentation
10 survivors is asking for.

11 Now, we understand that there's -- some
12 of these points that we are asking for is legal,
13 but there is a few here that can be dealt without
14 going to court or litigation or whatever, and we
15 had hoped to be able to resolve that matter prior
16 to us completing it in court. That will be left up
17 to the attorney, Mr. Nocella.

18 That's the testimony of the Community
19 Assistance for Prisoners on the behalf of the
20 experimentations survivors. Thank you for this
21 opportunity.

22 COUNCILMAN COHEN: Thank you very much.
23 We understand why you are acting as the
24 leader of this group. I know you've been very
25 persistent in trying to get your voices heard, and

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2 I want to congratulate you for what you're doing,
3 and I think what you're doing shows the best kind
4 of citizenship possible.

5 Thank you, Mr. Jones, for being here.

6 MR. JONES: Thank you.

7 COUNCILMAN COHEN: I'm now going to call
8 two people -- we're still in the introductory
9 stage -- and they are Dr. Bernard Ackerman and
10 Allen Hornblum to continue this introductory phase.
11 Dr. Ackerman is an extremely well-known doctor
12 dealing with the situation; he will tell us about
13 his contacts with it. Allen Hornblum is the author
14 of the book that first brought out the public's
15 knowledge of what was taking place in Philadelphia
16 prisons.

17 To both of you, I think the people of
18 Philadelphia owe a very real debt.

19 Dr. Ackerman, will you proceed.
20 Identify yourself first and then tell us of your
21 involvement.

22 DR. ACKERMAN: Yes. I'm Dr. Bernard
23 Ackerman. I'm a --

24 COUNCILMAN COHEN: You have to speak
25 closely to the microphone and with force.

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2 DR. ACKERMAN: I will do both.

3 COUNCILMAN COHEN: Yes, thank you.

4 DR. ACKERMAN: I'm Dr. Bernard Ackerman,
5 and I'm a dermatopathologist who has spent his
6 entire life in academic medicine.

7 First, Councilor Cohen, I want to begin
8 by commending you for your opening comments because
9 they're insightful, incisive, poignant, and
10 touching. You went to the core of the matters on
11 which a free society rests, and without that point
12 of view, no free society can survive. So I want to
13 pay tribute to you at the outset.

14 More than three years ago, I was asked
15 to come before the City Council of Philadelphia to
16 share with members of it observations and
17 reflections on my experience as a second-year
18 resident in dermatology at the University of
19 Pennsylvania at Holmesburg Prison. The title of my
20 presentation was "The Failure of Responsibility of
21 the City of Philadelphia and the University of
22 Pennsylvania to Prisoners of Holmesburg Prison
23 Between the Early 1950s and the 1970s."

24 This is what I said then: It is a given
25 that the City of Philadelphia, including officials

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2 in City government and officials at Holmesburg
3 Prison, as well as those at the University of
4 Pennsylvania, including its administration and its
5 physicians, failed the prisoners of Holmesburg
6 Prison during the entire period that human
7 experimentation was conducted there. By their
8 failure to ensure that medical and ethical
9 standards were maintained at Holmesburg Prison,
10 they violated the Nuremberg Code that was
11 formulated in 1947. Four years before the
12 experiments on human beings began at Holmesburg
13 Prison, that code was developed by American jurists
14 following the trial at Nuremberg of Nazi physicians
15 for crimes against humanity.

16 I want to concentrate here on how the
17 University of Pennsylvania not only failed the
18 prisoners, but failed medical students and
19 residents, such as I was then, by its forfeiture of
20 responsibility in regard to medical and ethical
21 standards at Holmesburg.

22 I came to the University of Pennsylvania
23 in 1966 to do a second year of residency in
24 dermatology there. At the outset, I was
25 enthusiastic about being able to do "research"

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2 part-time at Holmesburg by virtue of repeated
3 paeans to the marvelous contributions of the
4 Department of Dermatology, and in particular,
5 Dr. Albert M. Kligman was making to the inmates
6 there.

7 I was told that not only were we
8 advanced in the cause of science at Holmesburg, but
9 we were giving prisoners the opportunity to
10 participate in the advance of science, affording
11 them the chance to learn to be technicians and
12 medical assistants upon their release from prison,
13 and offering them the possibility of earning more
14 money than they could in any other penal
15 institution.

16 In fact, what was purported to be
17 research in a research institute at Holmesburg
18 under the direction of Albert M. Kligman and under
19 the auspices of the Department of Dermatology of
20 the University of Pennsylvania was little more than
21 a commercial operation in which Dr. Kligman and the
22 University of Pennsylvania, and possibly others,
23 reaped huge financial dividends from human
24 experimentation.

25 Never once during my time at

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2 Holmesburg -- and I was there many times, scores of
3 time -- did I ever see anyone from the
4 administration of the University of Pennsylvania
5 visit the cell block on which experiments were
6 conducted; nor was there a single attempt in word
7 or deed on the part of the University of
8 Pennsylvania to oversee what transpired medically
9 and ethically at Holmesburg. At the same time that
10 it was the beneficiary of a financial windfall, the
11 University of Pennsylvania was not engaged in
12 supervision of the human experimentation at
13 Holmesburg.

14 Not only did the University of
15 Pennsylvania have a responsibility to the
16 prisoners, but it also had an obligation to me and
17 other trainees who were its charges: That
18 responsibility was to set ethical standards to
19 alert to violations of the Nuremberg Code and to
20 ensure that the research done under their authority
21 was serious and meaningful. It did nothing of the
22 sorts.

23 It had obligation to us to set standards
24 for informed consent; it did not. It had an
25 obligation to us to mandate that scientific work at

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2 of Pennsylvania's stonewalling, evasions,
3 rationalizations, coverups, excuses and denials
4 about what went on at Holmesburg, the House of
5 Corrections, and the state homes for the
6 feeble-minded in Vineland and in Woodbine, New
7 Jersey. Such behavior ill becomes a great
8 university.

9 Until the wrongs at Holmesburg and at
10 the schools for retarded children are acknowledged
11 and rectified in some measure by the University of
12 Pennsylvania, there will always be a blot worse
13 than any dermalogic blemish on its complexion.

14 If the University of Pennsylvania is not
15 ashamed, it should be shamed by force of moral
16 authority and public outrage. You, the
17 representatives of City government of Philadelphia,
18 can act to right, if only and completely and very
19 late, that which was very wrong.

20 The response of the City Council to my
21 comments was no different than that of the
22 University of Pennsylvania of Pennsylvania: None
23 meaningful at all.

24 Now, more than three years later, I come
25 again to this chamber and add these thoughts to

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2 those I expressed then.

3 Two weeks ago, I was at the Nazi
4 concentration at Theresienstadt in the Czech
5 Republic, where cruelty to human beings confined
6 there knew no bounds. I have also been at the
7 extermination camps of Auschwitz-Birkenau and
8 Majdanek, of them both Poland, where horrific
9 medical experimentations were conducted on
10 internees.

11 What went on at Holmesburg Prison under
12 the auspices of the University of Pennsylvania was
13 not -- I emphasize not -- analogous to what
14 happened with the Nazis at Auschwitz-Birkenau and
15 Majdanek, but it was by virtue of utter disregard
16 for the dignity of men and unscrupulous advantage-
17 taking of vulnerable population like that of
18 Holmesburg that places like Auschwitz, Majdanek,
19 and Theresienstadt came to be.

20 It is for that reason that we, all of us
21 citizens and especially we physicians, are
22 obligated not only to take careful note of what
23 transpired at Holmesburg Prison on the watch and
24 under the stewardship of the University of
25 Pennsylvania School of Medicine, but to ensure that

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2 that kind of activity never happens again. That is
3 the reason why each of us must be vigilant against
4 inhuman practices and inhumane ones like those
5 carried out by physicians at Holmesburg, and that
6 is the reason why those practices must be condemned
7 in the strongest terms possible.

8 You, the elected representatives of the
9 citizens of Philadelphia, the city in which the
10 unethical experiments planned and performed, have
11 the responsibility of decrying that desecration of
12 man and of restoring thereby the good name of
13 Philadelphia.

14 Just a few months ago, a new dean, a
15 distinguished physician, arrived at the University
16 of Pennsylvania Health Center. His name is Arthur
17 H. Rubenstein. In correspondence with him and
18 during a brief meeting with him, I have been
19 impressed with his heartfelt concern for the care
20 properly of patients, the instruction profoundly of
21 medical students, and the conduct ethically of
22 research.

23 I am confident that when Dean Rubenstein
24 is informed fully of the wrongdoings of the
25 University of Pennsylvania School of Medicine in

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2 regard to prisoners at Holmesburg and the House of
3 Correction and of the retarded children in Vineland
4 and Woodbine, New Jersey, he will act swiftly,
5 resolutely, and compassionately to acknowledge the
6 wrong, to apologize to the victims, and to utilize
7 that sorry chapter in the history of the nation's
8 first medical school as a vehicle to sensitizing
9 the minds and souls of medical students -- first at
10 Penn, but then those at medical schools throughout
11 our country and the world -- to their
12 responsibilities as a physician and a human being
13 to every human being in their charge.

14 To do less than that would be to make
15 the University of Pennsylvania forever a prisoner
16 of its own undeniable guilt and a besmirch forever
17 its reputation as a paragon in the panoply of
18 medicine.

19 In closing, I call to your attention the
20 words of Walter B. Cannon, renowned physician-
21 physiologist at Harvard Medical School, who, nearly
22 a hundred years ago, said this: "There is no more
23 primitive and fundamental right which any
24 individual possesses than that of controlling the
25 uses to which his own body is put. Mankind has

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2 what you've said, not only do I have a history with
3 the University of Pennsylvania, my father, my
4 brother, my nephew were all graduates of the
5 University of Pennsylvania. My brother was the
6 chairman of the Department of Orthodontists at the
7 University of Pennsylvania, and I am a benefactor
8 of the University of Pennsylvania. So my comments
9 here are made by someone who has a sense of
10 allegiance to the University of Pennsylvania, and
11 that's precisely why I made them.

12 COUNCILMAN COHEN: Thank you so very
13 much.

14 I want to call everybody's attention to
15 joining us at the table is Congressman Lucien
16 Blackwell, who, for many, many years before he went
17 off to Congress, served as a colleague of mine in
18 City Council; so close, in fact, we sat next to
19 each other for many, many years in Council.

20 Councilman Blackwell, like his wife
21 presently, Councilwoman Blackwell, is well noted
22 for his concern about the rights of the poor, the
23 rights of the homeless, and of those who are
24 vulnerable to exploitation in the community, and
25 we're delighted that he's here today with us.

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2 Thank you.

3 At this point, I'm going to ask -- oh, I
4 see over to the right -- Councilman Mariano, come
5 closer. Councilman Richard Mariano, a member of
6 the Law and Government Committee, is also here with
7 us.

8 I'm going to ask Mr. Allen Hornblum, who
9 is the author of the book that first brought
10 attention to this -- but you know what happens to a
11 book like this: People tend not to believe it,
12 people tend to read a little bit about it, and it's
13 an unpleasant thing, and like all human beings, we
14 tend to push away unpleasantness.

15 MR. HORNBLUM: It's not the kind of
16 book, Councilman, that people want to read on the
17 beach in Avalon this summer.

18 COUNCILMAN COHEN: Yeah. But, Allen,
19 you've forced Philadelphians to come to grips with
20 this, and for that, we all, not only in this city,
21 but throughout the country, owe you a real debt of
22 gratitude.

23 Allen Hornblum is also an adjunct
24 professor at Temple University. We welcome you to
25 this hearing. Please proceed.

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2 MR. HORNBLUM: Thank you.

3 Chairman Cohen, Councilman Mariano,
4 members of the committee, Congressman Blackwell, I
5 would like to preface my remarks by briefly stating
6 my appreciation to the members of City Council City
7 Council for taking time to look into the disturbing
8 events that took place in the City's prison system
9 during a good portion of the 20th century.

10 I am a firm believer that if we are to
11 craft sound public policy, we need to grapple with
12 troubling issues and not flee from them. In order
13 to ensure that bad decisions and policies are not
14 enacted or repeated, we need to understand what
15 happened, even if the embarrassing events such as
16 those for which we meet to discuss today occurred a
17 half century ago.

18 As a recent college graduate in the
19 early 1970s, I began working as a teacher in the
20 Philadelphia prison system. For my earliest days
21 in the institutions, I was struck by the scores of
22 inmates who were adorned with bandages and adhesive
23 tapes on their backs, arms, and legs.

24 Initially, I thought the men must have
25 been wounded in a violent skirmish on a cell block

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2 or possibly a riot in a prison yard; however, I
3 soon learned the men were actually a part of a
4 long-standing human research program conducted by
5 the University of Pennsylvania. In fact, by the
6 time I had arrived at the Philadelphia Detention
7 Center, the medical experiments had been in
8 operation for over two decades.

9 Though correctional officers considered
10 the inmates crazy for, as they put it, "selling
11 their bodies to the doctors," the test subjects
12 were desperate to earn a little spending money, and
13 the medical studies were the best way to make a few
14 bucks while incarcerated.

15 Yes, the inmates admitted to me, they
16 were fearful of the pain, rashes, and scars that
17 they were left with and concerned with the
18 long-term implications of the test, but they felt
19 they had no alternative. If they wanted to make a
20 couple bucks in jail, this was the only thing way
21 they were going to do it. Besides, they argued,
22 these were doctors from the University of
23 Pennsylvania; they were the best physicians in the
24 City; and they were told the tests were safe, and
25 no harm would come to them.

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2 Many years later, while working in the
3 Philadelphia Sheriff's Office, I began to
4 investigate the medical experiments, which I had
5 obviously never quite forgotten. My curiosity
6 turned into a five-year investigation which
7 revealed much about the prison system's human
8 research studies, the callous indifference of the
9 medical community that orchestrated them, and the
10 City's lack of oversight that allowed them to
11 function for over a quarter of a century.

12 Ostensibly designed to foster
13 rudimentary dermatologic testing, the experiments
14 began over a handshake between an innovative Penn
15 dermatology professor and a prison superintendent
16 who also happened to be a physician. As the years
17 passed, however, the medical research program took
18 on a life of its own and developed a powerful
19 economic incentive for all concerned, particularly
20 so for Dr. Albert Kligman and the University of
21 Pennsylvania.

22 Pharmaceutical companies in post-war
23 America were growing rapidly and in need of test
24 subjects. Doctors who had access to institutions
25 for the elderly, the retarded, the orphaned, the

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2 imprisoned could call their tune financially.

3 Almost overnight such doctors could witness a
4 dramatic increase in their incomes. All that was
5 required was a supply of the raw material: Humans
6 for the experimentation.

7 Though few City residents or government
8 officials were apparently aware of it, by the
9 1960s, the Philadelphia prison systems had become
10 one of the largest human research facilities in the
11 United States. Dozens of private- and public-
12 sector agencies and corporations in the business of
13 testing powerful new drugs, however, were aware of
14 what was happening in Holmesburg Prison and
15 aggressively sought out the program.

16 Many of the largest American companies
17 came to Philadelphia because they knew the City had
18 well-known dermatologist and a prestigious
19 university that cheaply and easily supplied people
20 for risky medical experiments, experiments that
21 would be problematic somewhere else.

22 In the mid 1960s, for example, R.J.
23 Reynolds Tobacco Company, Dow Chemical, and the
24 U.S. Army all came to Philadelphia to test cancer
25 theories, dioxin, and chemical warfare agents,

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2 respectively. Though R.J. Reynolds in North
3 Carolina, Dow in Michigan, and the Army's chemical
4 Unit in Maryland all had in-state physicians,
5 universities, and prisons that could have been
6 utilized, they realized that such sensitive and
7 dangerous work could best be explored in the City
8 of Brotherly Love.

9 Granted, there were other prisons across
10 the country that incorporated their charges in
11 experimental studies during the post-war era, but
12 Holmesburg stands out for its lengths of service,
13 the variety of protocols undertaken, and the
14 numbers of prisoners who participated in them. At
15 most other penal institutions, experiments ran for
16 a short time and targeted a particular field of
17 inquiry.

18 At Ohio State Penitentiary, for
19 example, prisoners participated in a one-year
20 cancer immunity study; prisoners in Virginia were
21 involved in flash burn studies; and prisoners in
22 Oregon and Washington were part of testicular
23 irradiation studies.

24 Holmesburg, however, established itself
25 as the K-Mart of human experimentation for almost

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2 three decades. Evidently, everything was fair
3 game, no one was turned away. From the innocuous
4 to the truly dangerous, all offers were entertained
5 as long as there was money to pay for them. From
6 deodorant and hair dye studies to injections of
7 herpes simplex and radioactive isotopes; from
8 chocolate studies for the candy manufacturers to
9 belladonna incapacitate experiments for the CIA.

10 The repercussions of this loosely
11 established, but long-lasting medical program is
12 incalculable. Thousands of Philadelphians who
13 experienced these tests during the 1950s, '60s, and
14 '70s, many of them ultimately proven innocent,
15 believe that in addition to being incarcerated,
16 they were also subjected to science.

17 To this day, the former test subjects
18 are distrusting of doctors, hospitals, and the
19 medical profession in general, and refuse treatment
20 even when required. This is especially true for
21 many skeptical African-Americans who believe
22 Holmesburg, combined with the long shadow of
23 Tuskegee, is proof enough of the systemic abuse by
24 the American medical establishment.

25 Just like the white mice in an

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2 experimental lab, the Holmesburg test subject were
3 discarded and forgotten about. The perpetrators of
4 the sordid practice of using vulnerable citizens as
5 experimental material have reaped financial
6 windfalls and, for the most part, escaped the
7 judgment of history.

8 However, the final chapter has not been
9 written on this story. Hopefully, the members of
10 the committee recognize the injustice perpetrated
11 on these men and women and will correct the tally
12 sheet that allowed thousands of Philadelphians to
13 be cavalierly used as experimental guinea pigs.

14 And I would also like to thank
15 Congressman Blackwell -- I know he was here for a
16 time -- who was one of the first individuals in the
17 City -- I think at that time, he was a state
18 representative, along with David Richardson, who
19 heard about the experiments; they had complaints
20 from their constituents, and they went into the
21 Philly prisons to check them out. So I take my hat
22 off to Congress Blackwell and to you, Councilman
23 Cohen, for holding this meeting, and for the other
24 Councilmembers who came here and thought it was
25 important.

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2 Thank you.

3 COUNCILMAN COHEN: The very brief, but
4 very cohesive, analysis you've given us is an
5 overview of what occurred.

6 Now I do want to mention -- because I'm
7 frequently critical of the press -- that I thought
8 that the column in today's Inquirer in the B
9 section, first page of the B section over on the
10 left by Monica Yant Kinney was one of the finest
11 pieces of journalism I've seen. I think she
12 carried the kind of complaints that the past
13 prisoners complained about the experimentation, and
14 she's brought a lot of daylight to this issue. And
15 for that, I want to commend her and the Inquirer.

16 It's rare these days when the newspaper
17 and the media forgets its obligation to its
18 shareholders to make money and, instead,
19 concentrates in bringing out into the open human
20 issues that are very important to deal with.

21 We thank both of you. And,
22 Dr. Ackerman, I know you're from New York. Now, is
23 there anything you want to add to your statement?
24 because we're going to move the hearing along now,
25 we've had enough of the overview, but we want to

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2 hear directly from the prisoners.

3 But, Dr. Ackerman, is there anything
4 further you would like to add?

5 DR. ACKERMAN: There is not. Thank you
6 for inviting me.

7 COUNCILMAN COHEN: And I think you and
8 Professor Hornblum certainly deserve the credit of
9 so many people for what you've been doing.

10 The next witness is going to be Edward
11 Anthony. Mr. Anthony, would you come forward,
12 please.

13 (Witness comes forward.)

14 COUNCILMAN COHEN: Mr. Anthony, please
15 identify yourself for the record, and you can give
16 your name for the record so the reporter can have
17 it.

18 MR. ANTHONY: My name is Edward Anthony.
19 My address is 1432 Christian Street.

20 COUNCILMAN COHEN: Now, if any of you
21 have visible evidence on your bodies of what has
22 been talked about by the first three speakers, I
23 would like you to refer to it. We'll make a
24 judgment at that point as to whether or not you can
25 disclose it directly as, Miss Kinney argues, you're

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2 going to be doing at the hearing.

3 MR. ANTHONY: My name is Edward Anthony.

4 My address is 1432 Christian Street. I'm 58 years

5 old, and I participated in the University of

6 Pennsylvania studies during 1964 to 1966 at

7 Holmesburg Prison.

8 During the time I was in prison, I spent

9 approximately the first 15 months in Holmesburg

10 Prison. I went to the House of Corrections for the

11 last six months. When I was being checked into the

12 prison the first time, I thought it must have been

13 a crazy place with guys trying to kill each other,

14 'cause everyone was walking around with bandages on

15 heads and bodies. Later I learned from my

16 cellmates that this was because of the medical

17 tests.

18 At night, the University of Pennsylvania

19 doctors would come over and distribute pills.

20 Another inmate had a portfolio on all the tests,

21 and he would tell us about the tests that we could

22 get involved in. My cell partner told the inmate

23 to hook me up with something good. I was told that

24 the tests were safe and that I could make some

25 money. They were selling the tests to us. I saw

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2 other guys on the tests and figured it was okay.

3 I read the consent form that the
4 University of Pennsylvania gave to us, and it
5 scared me. The form said that I couldn't hold the
6 University of Pennsylvania responsible for anything
7 that happened from the tests. I asked them, What's
8 up with this? is this risky? And the University of
9 Pennsylvania person said, Oh, that's just a
10 formality.

11 I did a patch study for Johnson &
12 Johnson bubble bath for \$30. My understanding was
13 that they were going to see how irritated my skin
14 would be after pasting the patches with the bubble
15 bath on open skin. They sprayed something onto my
16 back out of a green government-issued can to make
17 the tape stick on my back. Benzoate went into my
18 bloodstream.

19 As soon as I returned to my cell, I fell
20 on the floor; I broke out from head to foot in
21 three days and passed out. Excuse me.

22 As soon as I returned back to the cell,
23 I fell out on the floor; I passed out. I broke out
24 from head to foot in three days. I complained for
25 two or three weeks. A male nurse named Otto gave

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2 me Emprin for my pain; that didn't help. So I kept
3 complaining, and the University of Pennsylvania
4 people gave me some pain relievers that were like
5 morphine, which they got out of a safe. Then they
6 bathed my back with a vinegar-like substance and
7 gave me calamine lotion. My body was broke out
8 from head to foot, like german measles.

9 After this first experiment, I said I
10 wasn't going to do any more experiments. My family
11 found out, and they started doing something about
12 it.

13 In 1966, my rash started to recur. I
14 went to the PGH, and they did a service treatment,
15 a salve. I went to various hospitals and clinics
16 too. I had an internal itch in my hands, and the
17 only way to make it feel better was to put my hands
18 under scalding-hot water. In prison, I would take
19 really hot showers because that was my only relief.

20 In 1969, I was in prison for seven
21 months at Lexington, Kentucky, and my rash broke
22 out again. They treated me there. They operated
23 on my feet. I also took pills. They had me soak
24 my hands and feet every day. I went to PGA several
25 times. The last time was in 1973, and I was

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2 hospitalized for three weeks.

3 I had joined the Islamic mosque, came
4 off the streets, and became a custodian at the
5 mosque. One day, my feet and hands swole over
6 three times their normal size, like boxing gloves,
7 and they smelled bad. The stuff had gone to my
8 hands and feet because of the gravitational pull of
9 nature and because of my prayer ritual.

10 At, PGH, the nurse cut off skin from my
11 hands and feet. I was put on steroids, pain pills,
12 Valium, and they soaked my hands and feet three
13 times a day in something that smelled like vinegar.
14 The doctors there never gave a positive diagnosis;
15 they didn't know what I had. They took me to the
16 laboratory, and they said I was a gold mine for
17 research. They eventually operated on my hands and
18 feets [sic]. My doctor there was the head
19 dermatologist.

20 I was also on a diet test for \$30 for
21 the University of Pennsylvania. For this test, I
22 was to take seven pills three times a day. After
23 21 days, I suffered hydration of the colon; I
24 couldn't pass my bowels. They gave me laxatives.
25 I got the piles that were incredible.

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2 The University of Pennsylvania had no
3 one there to treat me. They were supposed to take
4 me to PGH, but I think they didn't want PGH to see
5 what they had done to me. One morning the
6 institution doctor, Dr. Geizer, did an operation on
7 me. They took me into the back of C-Block, the
8 quarantine block, into a small room. Dr. Geizer
9 used Novocain to numb the rectum, but three inmates
10 had to hold me down while he cut and burned my
11 hemorrhoids. Despite the Novocain, it was so
12 painful that I hollered and passed out during the
13 operation.

14 The doctor left after the operation and
15 didn't give me any after-care instructions. They
16 left the drain in my rectum for three days, which
17 should have been taken out immediately. I went
18 back to Dr. Geizer because I was in pain, and he
19 said, "No wonder. He still has the cork in his
20 rectum." He snatched the drain out, and I began to
21 bleed, and I suffered an infection.

22 I was sent back to the housing area, and
23 it was three months before I could sit and eat with
24 the other inmates.

25 Another test I participated in was the

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2 Army test in 1965 for \$75. We were paid for an
3 injection they gave us and for each math problem we
4 did. I was only in the primer test. This primer
5 test was what they did to see which guys were going
6 to be used in the Army trailers. They gave me
7 mathematical problems to do and then they injected
8 me with something, but I don't know what that
9 substance was. They told us to do the mathematical
10 problems again, but I was spaced out and couldn't
11 concentrate and couldn't do more than three
12 problems.

13 Because I had reacted so badly to that
14 first injection, they didn't take me out to the
15 trailers for the rest of the test; I just want back
16 to my block. They sent me back to the block, and
17 for three or four months, I was still spaced out.
18 Who knows what could have happened if I hadn't had
19 friends in the jail to watch out for me. Some of
20 guys who had done the test had to go to the mental
21 ward in the hospital. I was a candidate for this,
22 but because other inmates watched out for me, I
23 never got sent there.

24 There were three other studies I
25 remember participating in, one involving sleeping

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2 pills, and the other was a barbiturate test, and I
3 also did a dye study where they shot dye into my
4 veins. It tasted like butter in my mouth. I was
5 in a trailer, and they monitored my arms for one
6 night. I don't know the long-term effects of these
7 three studies.

8 I had a flashback occurrence in around
9 1969 and I was sent to the psychiatrists Dr. Guy
10 and Dr. Case in the House of Corrections. This was
11 the first time I was treated for my mental
12 problems. I was diagnosed as having psychosis and
13 paranoia. They gave me medication and I also did
14 therapy.

15 I was under pressure in that jail. It
16 was so corrupt. The experiments were a release
17 from the tension, they were a way to get out of
18 other blocks, a social thing. I got money to get
19 things from the commissary without dealing with the
20 loan sharks. With the money I made in prison, I
21 bought letterhead so I could write to my family, I
22 bought items from the commissary such as ice cream,
23 chips, movie tickets, candy bars. Buying these
24 things relieved the boredom of being in prison.

25 I had other sources of income. Every

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2 now and again, I would get a visit, and someone
3 would leave a few dollars. I also had a job: I
4 worked in the knit shop and a tailor shop, but I
5 got out of work to do the experiments. But I
6 eventually had to terminate my job after my
7 hemorrhoid operation and became a worker on the
8 C-Block area.

9 When I had gotten out of jail, I didn't
10 know that there was anything I could do; because I
11 had signed that consent form, I thought I had sold
12 my rights away. I didn't know who could show me my
13 rights, get me a lawyer. I became suicidal. I
14 thought there was no way of being helped. I didn't
15 even believe there was a god. I promised that I
16 would never let another doctor treat me.

17 The University of Pennsylvania people
18 had no compassion. My body, my mind are
19 deteriorating because of the after-effects of
20 experiments I participated in.

21 I have hemorrhoid problems, but was
22 afraid to go to the doctors. I used to use
23 Preparation H or Vaseline every day to put the
24 hemorrhoids back in place.

25 I have developed arthritis.

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2 I still have gastrointestinal problems.

3 I get migraine headaches about two times
4 a week.

5 I've seen a psychiatrist for the last 17
6 years at the Warny-Smith Drug, Alcohol and Mental
7 Retardation Center.

8 I take blood purifiers -- Echinacea and
9 red clover.

10 Every day, I take the laxative tsyllium
11 to have a stool. This is because of my rectum
12 operation.

13 Last year, Dr. Khabani operated on my
14 feet from deterioration because of the patch tests.
15 I go to Dr. Strickland and Dr. Usef Khabani for my
16 skin about every three months.

17 Recently, I had an operation at Temple
18 on my hemorrhoids because it became like a tumor.

19 I feel used. My I.Q. is low, and I was
20 a functional illiterate at the time I took the
21 experiments.

22 When I got out of prison, I couldn't be
23 around my kids and family because I wasn't
24 physically and emotionally okay. I was an outcast.
25 I've only recently been able to win back the

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2 respect of my family and earned the right to spend
3 time with them. I looked awful, and they didn't
4 want me to be even in the same house.

5 I can't work, I'm permanently disabled.
6 Some days I feel good; the next day, I feel bad.

7 I'm mentally strained, especially after
8 I started working with Allen Hornblum, the author
9 of the book Acres of Skin. I would cry and I
10 didn't know why. And I couldn't sleep. I stopped
11 working with him except for some things because of
12 that.

13 I'd like to see follow-up treatments for
14 the guys. I don't want anybody to go through this
15 again. I want science to be used right.
16 Scientists should do experiments according to the
17 Nuremberg rules. These experiments by the
18 University of Pennsylvania are an example of
19 injustice, inequity, and a lack of compassion.

20 COUNCILMAN COHEN: Now it's clear why
21 the City of Philadelphia, why the University of
22 Pennsylvania, and why the pharmaceutical companies
23 don't want anybody to hear your story.

24 MR. ANTHONY: Yes, sir.

25 COUNCILMAN COHEN: It is horrendous to

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2 believe that any human being could have been
3 subjected by another human being in the form of a
4 corporate representative to the kind of conditions
5 you've been subjected to.

6 MR. ANTHONY: Yes, sir.

7 COUNCILMAN COHEN: Before we have any
8 questioning, I wanted Congressman Blackwell to note
9 the testimonial offered to him and the late David
10 Richardson by Allen Hornblum when he testified
11 about your early work on this matter, about your
12 going to the prisons to investigate the situation,
13 and he offered his very public commendation, and we
14 all join in that.

15 And I also want to note the presence of
16 Councilman Michael Nutter who joined us.
17 Councilman Ortiz has returned. So that we have
18 more than a full quorum of Councilmembers present
19 for the hearing.

20 MR. ANTHONY: Yes, sir.

21 COUNCILMAN COHEN: Let me ask you, just
22 repeat simply why was the -- how much money did you
23 get as a result of the experiments that you
24 participated in?

25 MR. ANTHONY: Out of all of the tests

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2 that I participated in, I could calculate about
3 \$350 in a two-year period.

4 COUNCILMAN COHEN: Over a two-year
5 period, that's less than \$1 a day.

6 MR. ANTHONY: Almost like that, yes,
7 sir.

8 COUNCILMAN COHEN: And I have seen a
9 copy of the release that everybody was asked to
10 sign.

11 MR. ANTHONY: Right.

12 COUNCILMAN COHEN: It clearly was
13 written by a well-paid attorney or law firm whose
14 rate of pay, even at that time, I'm sure, was much
15 more than \$1 a day per experiment.

16 MR. ANTHONY: Right.

17 COUNCILMAN COHEN: And to think that
18 these statements were taken advantage of; they were
19 handed to people who were in no position to
20 understand them and in no position to consider
21 their own interests. Money was desperately needed
22 because you had no other income, right?

23 MR. ANTHONY: No other income, right.

24 COUNCILMAN COHEN: So that \$1 a day 50
25 years ago meant the ability to buy an occasional

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2 something.

3 MR. ANTHONY: Right. I was raised by
4 disciplinary parents, and they said, If you make
5 your bed hard, lie down in it. So they just let me
6 go to jail so I could learn a lesson. So this is
7 my only way of having some type of resources.

8 COUNCILMAN COHEN: Well, that was true
9 of the other prisoners as well.

10 MR. ANTHONY: Yes, sir. Yes, sir.

11 COUNCILMAN COHEN: Because \$1 at that
12 time was important when you had no other income.

13 MR. ANTHONY: Yes, it was.

14 COUNCILMAN COHEN: And no way of buying
15 anything. And then you were assured these were
16 respectable people, you know, who were asking for
17 your consent, and you were assured the signing of
18 the form was a mere formality.

19 MR. ANTHONY: Yes, that's what they
20 said.

21 COUNCILMAN COHEN: Terrible.

22 Are there any questions by any members
23 of the committee?

24 Congressman Blackwell, go ahead.

25 CONGRESSMAN BLACKWELL: Thank you,

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2 Mr. Chairman. I'll be brief. And I thank you for
3 inviting me here today.

4 I fully understand what we're talking
5 about today, having investigated Holmesburg Prison
6 as a member of the State House in the early '70s at
7 the request of the some of the prisoners. And
8 while I was there, they talked about allegedly,
9 they were being abused in other ways.

10 But I when I went to the F-Block, I was
11 told by one of the prisoners that they were taking
12 some of the men at night and they were coming back
13 as though they were drunk or drugged. I asked the
14 then-superintendent, Louis Ash (ph), who's now
15 deceased, if that was true, and he told me no, it
16 wasn't true.

17 But then I was allowed to visit some of
18 the prisoners who were involved in some of the
19 experiments, but they said it was harmless, and
20 they even jumped on me and they told me, they said,
21 "Mr. Blackwell, you messin' us up because," you
22 see, the little bit of money they were getting, 50
23 cents a day, not \$1 a day, 50 cents a day, that's
24 what they told me at the time.

25 And they said that the reason we need

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2 this money is because we have wives and children at
3 home, and we can give 'em a little money when we go
4 to court, we can buy some soap and a comb and comb
5 our hair so we won't look like a animal when we go
6 to court. And on Christmas, we can send our
7 children a little present or at Easter, we can send
8 them a little present, or we could buy a candy bar
9 or something.

10 And so this is the things they were
11 doing, and they said, "We're doing it because we
12 just have no other way of getting any money." And,
13 you know, I hate to talk about the deceased, but
14 Mr. Ash just lied to me and he told me it wasn't
15 happening.

16 And a few years after that, the USA
17 Today newspaper had an article in which they talked
18 about medical experimentation in the prison. They
19 said that the Army was secretly conducting
20 experiments at Holmesburg.

21 I introduced a bill in Harrisburg under
22 Governor Shapp outlawing medical experimentation on
23 prisoners, and with the stroke of a pen, with the
24 stroke of a pen, Governor Shapp issued an executive
25 order outlawing medical experimentation on

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2 prisoners.

3 So these folks are right: They took
4 advantage of these people because they know most of
5 them didn't know what they were doing. They knew
6 nothing about the kind of medical experiments that
7 they were conducting. They didn't know how serious
8 it was. I even said to one prisoner, well what --
9 'cause he was jumping on me about needing this
10 money, and I said, What if they put something in
11 your eye and they blind you? What can you do? For
12 50 cents a day, that doesn't make sense. But at
13 that time, they just didn't agree.

14 So I thank you, whoever is responsible
15 for these hearings, and I know you because you've
16 always been a very decent person, and I think
17 you're one of the greatest Councilpersons -- and
18 I'm not patronizing you, but you've been one of the
19 greatest Councilpersons, I think, in this country
20 and probably in the world because you believe in
21 helping the people who need help the most.

22 So God bless you and God keep you.

23 COUNCILMAN COHEN: Thank you.

24 MR. ANTHONY: May I make a statement,
25 sir?

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2 COUNCILMAN COHEN: Yes, go ahead.

3 MR. ANTHONY: Most of the inmates at
4 that time were functionally illiterate, most of 'em
5 were. And we were coerced, we were coerced to take
6 those tests. You know, they would come over there
7 and tell you that the tests were safe, you know,
8 and how many people they done tried on it and
9 everything.

10 And it made me think about the skin test
11 where they was trying to come up with a creation
12 like Retina A, where they making billions of
13 dollars off of it right now. They was, like,
14 polluting our skin. I mean, guys got burns on they
15 bodies right now. I have samples of burns, patch
16 marks on my arm, my back, my hands, my fingernails
17 where I had my palms pulled off and they had to be
18 drained and my feet pulled off and had to be
19 drained from this toxic stuff that was in this Army
20 can.

21 I was wondering why did they have --
22 'cause I worked at Crowne Can Company where they
23 made cans, and I know Army cans. We had Army
24 government contracts, and this was a green can, and
25 it had a thousand chemicals in it. And this was to

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2 make the tape stay on your back. That's what broke
3 me out.

4 And right now, I'm still suffering in my
5 hands and my internal deterioration and my bones.
6 I have pins in my feet, you know, and the
7 deterioration. I asked the doctors, what is it?
8 but they don't give me no diagnosis, you know what
9 I mean?

10 And they just straight-up used us, you
11 know what I mean? They knew what they was doing.

12 And the people who they had hired to
13 perform the tests on us were other inmates that had
14 a GED IQs. You know, they were taking blood
15 pressure, they was administering medicine, promised
16 to have jobs when they got out. None of this had
17 took place.

18 Plus, after you got out, if you tried to
19 go to the PGH to try to say that you was on the
20 tests and can they do something for you, they
21 didn't do anything for you, you know?

22 And this is why I have a fear of
23 doctors. It's like it's a conspiracy between them
24 to try to commit genocides on us and stuff, you
25 know?

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2 I done turned to holistic healing, herbs
3 and stuff, food to try to get myself back to health
4 'cause I'm scared of doctors, you know?

5 COUNCILMAN COHEN: Thank you.

6 The next witness will be Al Skorski.

7 (Witness comes forward.)

8 COUNCILMAN COHEN: Mr. Skorski, please
9 identify yourself for the record.

10 MR. SKORSKI: My name is Alphonse
11 Skorski, a resident of Philadelphia for 52 years.

12 COUNCILMAN COHEN: Mr. Skorski, before
13 you begin, Councilman Nutter raised a very
14 important issue.

15 Councilman Nutter?

16 COUNCILMAN NUTTER: Thank you,
17 Mr. Chairman. I apologize for being late. I was,
18 unfortunately, out of the room on other Council
19 business

20 I did want to ask, Mr. Chairman, for the
21 record -- certainly the allegations and the facts
22 are tremendously troubling and tragic. I d want to
23 better understand for the purposes of today's
24 hearing, the parties that have at least been
25 identified as participants or the main actors in

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2 this -- we obviously have testimony from the
3 individuals who were subject to these experiments
4 and to possibly deception with regard to what was
5 going on here. I did want to ask about any
6 testimony or acknowledgment of these facts or
7 allegations by either the prison system in general
8 or any of the officials who were in office at that
9 time or the University of Pennsylvania or any of
10 its doctors, as well as any of the pharmaceutical
11 companies.

12 What has been their participation thus
13 far either in this hearing or in any acknowledgment
14 of the facts or the allegations in this particular
15 matter?

16 COUNCILMAN COHEN: The committee
17 notified the University of Pennsylvania, notified
18 the City of Philadelphia, the government, the
19 Mayor's Office, notified the two pharmaceutical
20 companies that were the subject of the lawsuit
21 that's pending and has been pending for quite some
22 time in the Third Circuit Court of Appeals.

23 We received no acknowledgment. We were
24 told that at one point, Dow Chemical had offered an
25 apology for what happening, saying that, of course,

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2 we would never do anything like that again. But
3 that was the total of what they said.

4 The University of Pennsylvania has
5 allegedly said it wants to have the right to
6 examine each person and decide whether and to what
7 extent they need medical help, and then make a
8 decision as to whether they will offer it.

9 We've suggested to all of them that they
10 ought to come and tell their story.

11 Let me ask officially for the record, is
12 there anyone here to speak on behalf of the
13 University of Pennsylvania?

14 (No response.)

15 COUNCILMAN COHEN: Is there anyone here
16 to speak on behalf of the City of Philadelphia, the
17 Executive Department, the Mayor's Office?

18 (No response.)

19 COUNCILMAN COHEN: Is there anyone here
20 to speak on behalf of the pharmaceutical companies?

21 (No response.)

22 COUNCILMAN COHEN: Nobody has responded.

23 COUNCILMAN ORTIZ: In answer to
24 Councilman Nutter's question, actually, Mr. Keel
25 from the Administration -- the Administration

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2 actually requested through Mr. Frank Keel,
3 Mr. Frank Keel made a statement questioning why
4 City Council was having these hearings and whether
5 it was appropriate for us to have these hearings,
6 which I find incredulous, first of all, to question
7 it; second of all, to even refuse to answer any of
8 the questions which come down.

9 Obviously, we permitted as a city these
10 atrocities to happen to people, and we as a city
11 and as an administration, even 50 years later, we
12 have to respond to that.

13 And just like other individuals have
14 apologized and presidents have done, we as a city
15 and as an administration, we should at least
16 apologize as officials of the City to these
17 individuals for allowing this to happen in
18 Philadelphia, and that Philadelphia City government
19 was complicit and a party to the experimentations
20 and the suffering.

21 So I believe that they should be here
22 and that they should have come, and even though the
23 fear of litigation -- that's the thing that
24 everybody throws up when they don't want to answer
25 a question, but I believe that an apology is owed

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2 to these individuals that went through our system
3 and suffered these inhuman indignities.

4 You only see these things happening and
5 you look at it in war movies when you see the Nazis
6 experimenting on human beings. Well, it shows that
7 it wasn't just the Nazis who were doing
8 experimentation on human beings, but our own
9 government right here in Philadelphia.

10 Thank you.

11 COUNCILMAN NUTTER: Thank you,
12 Councilman.

13 Councilman, the only thing I would add
14 to that is, certainly an apology would be
15 appropriate. I'm sure that the individuals who
16 have been subjected to this experimentation would
17 rightfully expect, and make a demand for, more than
18 an apology; that is certainly the least that can be
19 done, that's a start of a conversation.

20 But I would also say that before you can
21 get to an apology, which was the purpose of the
22 original question, there must be acknowledgment
23 that these things happened. And it's not
24 crystal-clear to me that there's even an
25 acknowledgment. Now, I certainly not an expert in

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2 this particular area -- I've read some of the
3 materials -- but I think first, someone from any of
4 those three entities or all of those three entities
5 has to at least acknowledge and admit that these
6 things happened first and foremost in order to even
7 to get to the point of some kind of apology and any
8 other settlement that may need to takes place.

9 This has nothing to do with the current
10 administration or the current mayor, but as
11 Councilman Ortiz said, we are the government, and
12 the government is continuing. And a government
13 entity or a corporate entity or an educational
14 entity has to accept responsibility for things that
15 happened even at an earlier point in time.

16 And so there needs to be an admittance
17 that these things did in fact happen. Someone
18 should explain why they happened and state for the
19 record what they plan to do about it. And I just
20 wondered whether there had even been the
21 acknowledgment by these various participants that
22 these activities had happened and that they should
23 be here.

24 I understand that there's a legal case
25 going on; I certainly don't want to debate that.

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2 But if people are going to hide behind the statute
3 of limitations, that ignores whether or not the
4 incidents themselves actually happened or not.

5 The statute of limitations argument is
6 an interesting argument for the lawyers; that does
7 not get around the fact as to whether or not these
8 things actually happened or not, and that
9 ultimately becomes the bottom line of this
10 particular story. That has to be acknowledged.

11 So thank you, Mr. Chairman.

12 COUNCILMAN COHEN: Councilman Nutter,
13 I'm going to be suggesting that another invitation
14 go out to these various groups for the hearing that
15 will follow this one, on Tuesday, May 28th, the day
16 after Memorial Day, which, this year, comes early,
17 on May 27th, at 10:30 in the morning, in this room.
18 And we will get another invitation out to all of
19 them.

20 I think the point made by Councilman
21 Ortiz and Councilman Nutter is very important. We
22 first need acknowledgment, then we need an apology,
23 and then we need, What are you going to do about
24 it? and what's got to be done is, the best possible
25 medical care has to be provided for all victims,

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2 and thereafter, we have to take care of the
3 financial losses that these victims have suffered,
4 their inability to support a family, to go to work,
5 all of the pain and suffering they've suffered all
6 of these years.

7 Our system in the United States is a
8 system of capitalism in which there is private
9 ownership of property and businesses. People are
10 used to the fact that corporations that exist to
11 make profit have to consider their shareholders
12 first, and government is different; governments
13 don't make profits; government shareholders are the
14 people who are elected into office as citizens.

15 And what we have found happened in this
16 case is that apparently, the government officials
17 forfeited their responsibility and worked with the
18 private sector to help the private sector achieve
19 much greater profits. We understand many millions
20 of dollars have been made as a result of these
21 experimentations, and nothing for the people who
22 were injured as a result of being subjected and
23 treated as human guinea pigs. All of that is on
24 the agenda for correction.

25 And I think on behalf of the City

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2 Council, we're not going to rest until this
3 defensive shadow-boxing by the companies arguing in
4 a lawsuit, there's a statute of limitations and
5 thereby using that as a technique to prevent any
6 facts from coming out, we're not going to permit
7 that to work. With God's help, we're going to
8 prevail while there are survivors alive ready to
9 receive an apology.

10 When President Clinton apologized
11 publicly in 1996 to the three remaining survivors
12 of the Tuskegee Institute experiments, it was a
13 step that was long overdue. We don't want to have
14 to wait until there's just three survivors; we want
15 to do it while there remains a number of survivors
16 in Philadelphia and we want to prove to everybody
17 that government, at least on some occasions, can
18 follow the correct line, and the correct line is to
19 fight on behalf of the interests of its people and
20 to protect them, not to participate in injuring
21 them.

22 Councilwoman Blackwell, I know you had a
23 -- wanted the floor.

24 COUNCILWOMAN BLACKWELL: Thank you,
25 thank you, Mr. Chairman.

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2 Certainly, I concur with all that my
3 colleagues have said and feel that somebody owes
4 you on apology; certainly, I'm glad to offer one on
5 behalf of all of the people who have done wrong.

6 Certainly I work with Lucien and worked
7 under Governor Shapp during the days in the early
8 '70s when Governor Shapp outlawed with the stroke
9 of his pen medical experimentation. I remember the
10 trips, I remember when Lucien toured the prison and
11 said, What do they go through? and they gave him a
12 tour and they put something in his eyes when he
13 offered himself up to find out certainly what
14 inmates were going through. It's been a serious
15 nightmare for you and for all people who care.

16 I'm interested in hearing the testimony
17 of the gentleman in front of us whose picture I've
18 seen; in fact, I saw it on TV.

19 And let me say that I was looking at
20 Mr. Jones's what-we-want items. Obviously, the
21 apology.

22 The follow-up on medical treatment, I've
23 called Penn since we were here this morning and I
24 got a number, which is 1-800-789-Penn, or P-E-N-N.
25 that's 1-800-789-Penn, which is P-E-N-N, and that

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2 number is available for anybody who wants to follow
3 up but, you know, I'm sorry for those who couldn't
4 get it before, but at any rate, I did call them and
5 got them to give me that number: 1-800-789-Penn,
6 or P-E-N-N.

7 So at least, certainly, that's a start.
8 And I'm sure my colleagues and I and the chair of
9 this committee is glad to come up with legislation
10 at our level to say that further practices should
11 stop; that's something that we can do on our level
12 as a committee.

13 And we know that the financial support
14 and compensation are in court. And we did try to
15 come up with this number. And if anybody has a
16 problem with that, if you will contact Councilman
17 Cohen or me in my office, my number is 686-3418 or
18 19, and Councilman Cohen will give you his number.
19 Certainly we'll follow up if you have any problem
20 having follow-up with Penn or getting in touch with
21 them about any medical issues.

22 Thank you, Mr. Chairman.

23 COUNCILMAN COHEN: Thank you,
24 Councilwoman Blackwell.

25 Mr. Skorski, why don't you tell us of

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2 your experiences.

3 MR. SKORSKI: Yes. Ladies and
4 gentlemen, my name is Alphonse Skorski. I've been
5 a resident of Philadelphia for 52 years now.

6 I was incarcerated from 1970 to late
7 1973. During my approximately three years in
8 prison, I spent the first two years at Holmesburg
9 Prison. Then I was transferred to the House of
10 Corrections for approximately a year. I finished
11 the sentence on the work-release program.

12 While in the prison there, I
13 participated in two University of Pennsylvania
14 studies. The first study I participated in was a
15 cosmetic patch test. Someone in the knit mill
16 where I worked at Holmesburg told me about the
17 University of Pennsylvania experiments that were
18 going on.

19 I went to the prison guards and asked
20 them if I could, you know, get signed up for these
21 experiments; they said it was no problem. After
22 that, a couple gentlemen dressed in long, white
23 coats came to me. I assumed they were doctors
24 because of the way they were dressed, but I didn't
25 know who they were actually. These gentlemen said

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2 that I could sign up for this patch test. They
3 told me that there would be no side effects, no
4 damage, no harm.

5 I also didn't see any forms like consent
6 forms.

7 (Sirens from streets blaring
8 in background.)

9 COUNCILMAN COHEN: Would you hold your
10 testimony one moment till the noise dies down.

11 (Pause in testimony.)

12 COUNCILMAN COHEN: Go ahead,
13 Mr. Skorski.

14 MR. SKORSKI: I didn't see no consent
15 forms, which also the consent forms would have made
16 me a little suspicious and probably caused me not
17 to do these experiments.

18 All right, the gentlemen looked like
19 professional men, and I was in pretty good shape,
20 so I believed them when they said that the
21 experiments wouldn't hurt me.

22 To do the cosmetic patch test, I went to
23 the University of Pennsylvania sub lot where the
24 experiments took place. They put some sort of
25 substance on my left arm and on my back shoulder

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2 blade. They covered this with gauze and then used
3 medical tape to hold the gauze in place. I wore
4 the patch about three or four days and then they
5 removed it. I was paid only a little bit for this
6 test, approximately \$5.

7 The other study I participated in was an
8 athlete's foot test. The year was 1970 or early
9 1971. I was told I could get ten times more money
10 for this test, about 40 or \$50. That made it
11 appealing. I worked at the knit mill in the prison
12 that paid about 25 cents a day. I needed some
13 money to buy necessities such as toothpaste, soap,
14 shampoo, combs, and cigarettes, one of the few
15 things I could enjoy while in prison.

16 For the test, I went back to the block
17 where the University of Pennsylvania experiments
18 took place. I don't remember signing no form there
19 either. They asked me for my name and number so
20 that they could pay me, and then they told me that
21 they were testing an athlete's foot deterrent.

22 They sprinkled powder on my right foot
23 and then they placed a plastic bag over my foot.
24 The plastic bag went up to the middle of my calf,
25 and then they wrapped the plastic tight with duct

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2 tape to create a vacuum. They said they needed
3 heat and moisture. I wore this plastic bag over my
4 foot for one week. I was told that if I took it
5 off, I wouldn't get paid for the test.

6 I returned to the University of
7 Pennsylvania testing block with three other
8 gentlemen that also had this athlete's foot test
9 done. They took off the plastic that had covered
10 our feet, and I thought I was going to faint
11 because of this test. I immediately gagged. They
12 didn't do anything to help me with the smell in the
13 room; I just had to put up with it for about ten
14 minutes until they were finished. I went back to
15 the showers to wash off that smell, and I didn't
16 think anymore of the test.

17 About a week went by, and one morning,
18 as I got out of bed, I fell down to my knees. My
19 right foot had no feeling; I couldn't control it or
20 lift it. I stood up straight and walked by taking
21 a step forward with my left foot and dragging my
22 right foot. I was very upset and concerned about
23 what was happening with my foot.

24 In prison, you can't show any weakness;
25 I was worried that if I was crippled, the other

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2 inmates would treat me badly, that they would steal
3 my stuff or harm me.

4 I wanted to do something immediately. I
5 went to the sergeant of the guards and asked if I
6 could go to the doctor. I went to the prison
7 doctor, and he couldn't explained what was
8 happening with my foot.

9 At the time, I didn't connect what was
10 happening to the experiment I had participated in
11 the week before for the University of Pennsylvania.
12 I didn't tell the doctor about the experiment, so
13 I'm not sure if he knew that I had participated in
14 it.

15 I was shipped to the PGH hospital about
16 two days after seeing the prison doctor. Several
17 doctors came in to see me in the examining room.
18 My vital signs were okay, but I still had no
19 feeling in my foot. Finally, a specialist came in
20 and did a probe on my foot. The specialist
21 diagnosed me with nerve damage. The nerve had been
22 severed right where the bag had been wrapped with
23 duct tape. I had never had no problem before this.

24 I was next sent to St. Luke's Hospital
25 located on Eighth and Girard. I stayed in the

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2 prison ward there for one month. Every day I would
3 go into a therapy room, and the nurse would put a
4 probe, an electrical probe, on my foot and below my
5 knee for about one hour. They would send an
6 electrical impulse through the severed nerve for
7 about 15 seconds. With this therapy, they made
8 another nerve connection to replace the nerve that
9 had become severed. This was not a permanent --
10 this was not permanent; it was just as they sent
11 the electrical pulse through that my nerve would
12 react.

13 At St. Luke's, they also made a brace
14 for me. They placed a metal plate in the right
15 foot of one pair of shoes. There were also two
16 metal strips that went up the side of the -- up the
17 right leg to the knee. I still had to drag my
18 foot, but with the brace, the foot was in an
19 upright position. When I left the hospital and
20 returned to prison, I wasn't given any medication;
21 they just said, "Let's hope this heals."

22 I wore the brace for one year. Every
23 evening, I would take the brace off and work the
24 muscle myself. Slowly the feeling came back in my
25 foot, I don't have to wear the brace to keep my

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2 foot up, but even today, if I don't concentrate on
3 that right foot, it will droop down and cause me to
4 trip.

5 I have also experienced emotional
6 distress because of that. I haven't been back in
7 prison since my time at Holmesburg and the House of
8 Corrections, and I've put this part of my life
9 behind me.

10 I still have this reddish discoloration
11 on my skin, though I don't wear shorts because that
12 foot looks ugly, and I don't want to have to
13 explain to others, especially my children, how I
14 came to get this scar.

15 I don't get to do simple things, like to
16 go swimming at the beach with my children, because
17 then they would see this problem with my foot and
18 ask me questions that I don't want to answer.

19 It wasn't until I heard the other former
20 inmates' stories that I connected my foot problem
21 with the University of Pennsylvania's athlete's
22 foot test. Learning this has finally given me
23 peace of mind about what my foot had the problem it
24 did. I want to see something done about this so it
25 will never happen again, and I don't want others to

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2 be put in a position where they are a human guinea
3 pig.
4 Thank you very much.
5 COUNCILMAN COHEN: Thank you very much.
6 Yes, Councilman Ortiz.
7 COUNCILMAN ORTIZ: Is this you?
8 (Holding up poster.)
9 MR. SKORSKI: It's me.
10 COUNCILMAN ORTIZ: This is your picture?
11 COUNCILMAN COHEN: Could you approach
12 and show us the scars?
13 (Mr. Skorski shows scars on
14 leg.)
15 (Witness Edward Anthony
16 approaches committee table to
17 show scars.)
18 COUNCILMAN ORTIZ: Oh, my god. Oh, my
19 god. That's horrible.
20 COUNCILMAN COHEN: Thank you very much.
21 MR. ANTHONY: My name is Edward Anthony,
22 and I was telling you about how my hands and feet
23 had swollen up three times they normal size, and
24 they had to graft my palms off and drain 'em from
25 whatever's in my blood from that test, you know,

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2 where they sprayed the can.

3 And my fingernails are getting better
4 now, but they've been like that for 30-something
5 years, and this is good. They were that thick
6 (indicating) and grown like claws, and this is the
7 remains of 'em now. I used to get on buses and
8 hide my hands, you know. Thirty-something years,
9 and it's still this way.

10 And I get treated every two weeks at my
11 doctor, my primary doctor, for this, and think
12 don't know what it is. They be thinking it's
13 eczema, psoriasis; they been giving me different
14 names and then I don't know what it is, and I wind
15 up in the laboratory again. That's why I started
16 doing holistic healing, trying to get myself
17 together.

18 COUNCILMAN COHEN: Thank you.

19 COUNCILMAN ORTIZ: (Addressing
20 Mr. Skorski.)

21 Sir, do you have feelings? You said you
22 don't have any feelings in your leg?

23 MR. SKORSKI: Well, there is feeling,
24 but there's no pain.

25 COUNCILMAN ORTIZ: So if somebody sticks

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2 you with a needle, you won't --
3 MR. SKORSKI: I'll notice it after a
4 while.
5 COUNCILMAN ORTIZ: You'll notice it
6 after a while.
7 MR. SKORSKI: Yeah, not immediately,
8 after a while. There's feeling there, but the main
9 thing with the severed nerve was my foot dropped.
10 I had no control, I couldn't lift it. There was no
11 movement. It just dropped like a piece of meat.
12 COUNCILMAN ORTIZ: So the leg has
13 been -- the nervous system in that leg has been
14 damaged.
15 MR. SKORSKI: The nerve was damaged,
16 yes, sir.
17 COUNCILMAN ORTIZ: And it's not coming
18 back.
19 MR. SKORSKI: Well, it's back, not a
20 hundred percent, but it's back.
21 COUNCILMAN ORTIZ: Somewhat.
22 MR. SKORSKI: Somewhat, yes, sir.
23 COUNCILMAN COHEN: Thank you very much,
24 Mr. Skorski.
25 COUNCILMAN COHEN: Al Zabola?

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2 MR. SKORSKI: Thank you very much.

3 COUNCILWOMAN BLACKWELL: Thank you and
4 God bless you.

5 COUNCILMAN COHEN: Is Al Zabola here?
6 Do you want to come forward to the witness stand.

7 (Witness comes forward.)

8 COUNCILMAN COHEN: Could you tell us
9 briefly what occurred to you as a result of the
10 experimentation that you participated in.

11 MR. ZABOLA: Yes. I'd like to thank the
12 Council for this hearing, and I hope some good
13 comes of it.

14 I was at Holmesburg from '63 to '64. I
15 was on the government study/CIA study. It was --

16 COUNCILMAN ORTIZ: You say it was a CIA
17 study?

18 MR. ZABOLA: The Army was doing the
19 study for the CIA. They were experimenting with
20 mind-controlling drugs.

21 COUNCILMAN ORTIZ: That's scary.

22 MR. ZABOLA: And I participated in it.

23 I was in the trailer. The room they
24 kept you in was a padded room. They had cameras in
25 it so that they could see what you were doing. And

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2 it was -- also they had speakers in there, and I
3 guess all of this was recorded. And I was in there
4 from five to seven days because the drug took a
5 very bad effect on me.

6 COUNCILMAN COHEN: What was that?

7 MR. ZABOLA: The drug study for the
8 Army.

9 And when I was released after five to
10 seven days -- I don't remember exactly because I
11 was, like, in another world -- they gave you this
12 button to wear that you were on this study, and if
13 you started acting irrational for the officials in
14 prison to get somebody from the University of
15 Pennsylvania there to handle the situation.

16 But I'd also like to say that during the
17 course of these drug studies in the trailer, there
18 were men that came out of those trailers that
19 didn't know their name, didn't know what year it
20 was, didn't know what month it was. They were
21 walking around like zombies.

22 I guess I was fortunate that I only had
23 problems for a couple of years after the studies
24 where I would get -- I would have psychological and
25 mental breakdowns. I would get -- I guess the

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2 medical term would be "flashbacks," and I had them
3 for several years, and the last time I had one was
4 around '71 or '72.

5 COUNCILMAN COHEN: Well, thank you very
6 much.

7 MR. ZABOLA: Is there any questions?

8 COUNCILMAN ORTIZ: Oh, yeah. I have a
9 copy here of the letters --

10 MR. ZABOLA: That I wrote to the EPA?
11 They --

12 COUNCILMAN ORTIZ: Yeah. And to
13 Mr. Frank L. Davido, Pesticide Incident Response
14 Officer.

15 (Above letter attached
16 hereto.)

17 COUNCILMAN ORTIZ: After all of these
18 letters, did they write back to you? And I just
19 want to read it because this is to me is what
20 governmental "bureaucracy-speak" is all about:

21 "As a result of our investigation, we
22 have concluded that none of the individuals
23 interviewed can, with any certainty, be said to
24 have participated in dioxin testing at Holmesburg.
25 In the absence of records, we have demonstrated

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2 that dioxin test participants cannot be possibly
3 identified and that further investigation would be
4 inconclusive and unjustifiable."

5 MR. ZABOLA: All of the records were
6 destroyed. They don't...

7 They acted like I never participated in
8 this drug study, like it didn't exist, like it was
9 "The Twilight Zone." And I remember every detail
10 from the time that I went into the trailer, got the
11 injection in my arm with the drug, the padded cell,
12 the cameras. And then after the drug took effect,
13 I was out of it, like, for five to seven days.
14 After about seven days, I started to get -- I -- a
15 little normal. I wasn't a hundred percent.

16 Then they figured it was time they could
17 send me back out into the population with the tag
18 that I had to wear.

19 COUNCILMAN COHEN: Councilwoman
20 Blackwell.

21 COUNCILWOMAN BLACKWELL: Thank you.

22 When you said you got flashbacks, your
23 flashbacks were you going into the trailer and what
24 they did to you or --

25 MR. ZABOLA: Things like that, yes.

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2 There was one incident, the last one I
3 had, I was living with my sister at the time -- I
4 was born in raised in Philadelphia, I'm 64 years
5 old. I locked myself in the room; for three days,
6 I wouldn't come out. And after about the third
7 day, I came out, and my sister asked me what was
8 wrong with me, and I said I don't know. I said it
9 was probably something to do with the study I was
10 on when I was at Holmesburg.

11 And that was the last episode I had.

12 COUNCILMAN COHEN: Thank you very much.

13 COUNCILWOMAN BLACKWELL: Thank you. God
14 bless you.

15 COUNCILMAN ORTIZ: It's incredible, sir.

16 COUNCILMAN COHEN: Is Joe Smith here?
17 Joe Smith?

18 (No response.)

19 COUNCILMAN COHEN: Dorothy Alston,
20 Dorothy Alston?

21 (No response.)

22 (Mr. Jones returns to witness
23 table.)

24 MR. JONES: Councilman Cohen, Joe Smith
25 was supposed to be here.

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2 COUNCILMAN COHEN: All right, he's not
3 here. Invite him to the next meeting.
4 MR. JONES: Yes, we will, along with
5 Dorothy Alston.
6 COUNCILMAN COHEN: How about Dorothy
7 Alston?
8 MR. JONES: No, she's not here either.
9 COUNCILMAN COHEN: How about William
10 Harper?
11 MR. JONES: William Harper's not here,
12 but we have someone who's going to read his
13 testimony if it's okay with Council.
14 COUNCILMAN COHEN: All right, 'cause
15 there's just going to be time for one more witness
16 this day.
17 MR. JONES: Yes, sir.
18 (Witness comes forward.)
19 COUNCILMAN COHEN: Please identify
20 yourself for the record spell.
21 MR. ABDULAZIZ: My name is Yusuf
22 Abdulaziz. I'm a member of the --
23 COUNCILWOMAN BLACKWELL: Excuse me, she
24 didn't hear you. Spell your name for the
25 stenographer.

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2 MR. ABDULAZIZ: Y-U-S-U-F,
3 A-B-D-U-L-A-Z-I-Z, aka Joseph Lester.

4 COUNCILMAN COHEN: Can you tell us what
5 happened to you, sir?

6 MR. ABDULAZIZ: I'm reading this from
7 William Harper.

8 COUNCILMAN COHEN: Yes, okay.

9 MR. ABDULAZIZ: This is his testimony.
10 I'm reading it back like I'm him.

11 "My name is William Harper. I live at
12 1828 West Thompson, Philadelphia, Pennsylvania. I
13 am 63 years old.

14 "I was in Holmesburg Prison between 1964
15 and 1967. During this time, I participated in one
16 study when working in the dermatology lab for the
17 University of Pennsylvania. I never participated
18 in the University of Pennsylvania experiment as the
19 subject until near the end of my stay in prison, in
20 1967.

21 "I was in contact with the study before
22 that time because I worked in the dermatology
23 laboratory. I never had any medical training
24 before I started working in the dermatology
25 laboratory in the prison for the University of

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2 Pennsylvania. I only had a high school diploma.

3 "I was trained to work in the
4 dermatology laboratory by other inmates, Charlie
5 Frye and Benny Trimel, who had already been working
6 there. We were the three guys who worked in the
7 dermatology laboratory, and Solomon McBride was our
8 director.

9 "I learned to mix solutions and
10 ointments, to occlude an area for a blister, to
11 punch a biopsy suture, to take blood, to use the
12 autoclave and incubator and the metric system. We
13 were only told a certain protocol to follow. We
14 weren't told what they did with the results or what
15 they were looking for in the study; we only knew
16 our part of the study.

17 "In the laboratory, we did dandruff
18 studies, blister studies, epileptical and punch
19 biopsies and injections. We would use Xylocaine to
20 anesthetize areas that we were going to use. I
21 collected cerebrum levels from people's heads. We
22 did radiation studies and did Geiger counting off
23 of people. There were creams that weren't labeled
24 by name, only by code numbers. We helped
25 administer sweat studies and do skin scraping.

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2 Sometimes with studies we used drugs like DMSO and
3 SLS on guys.

4 "I became what I call 'a blister
5 expert.' As I did these things, there was not a
6 doctor present. The prison doctors knew what was
7 going on and they didn't interfere with the
8 experiments unless there was an emergency.

9 "After we had done the experiments, we
10 were told to print out the results and send them to
11 Dr. Kligman or to the director, Mr. McBride. We
12 also did the billing for the study.

13 "When I began working for the University
14 of Pennsylvania dermatology laboratory in
15 Holmesburg Prison, I was getting paid \$25 a month.
16 I got raises as I continued working there, and when
17 I left, I was getting almost \$100 a month. At the
18 time I left, I had been working at the dermatology
19 lab for 16 months, and I was the head technician.
20 The money from working in the lab was the only
21 money I received at that time, except if a relative
22 or friend sent me a little bit of money in the
23 mail.

24 "I did get some special treatment
25 because of working at this job. I didn't have to

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2 stay locked up in my cell all day. The prison
3 officials didn't bother me because I worked for the
4 University of Pennsylvania. We, the laboratory
5 workers, were trusted, and they seldom searched
6 what we were doing. Somebody else did our laundry,
7 and we could arrange to get swags so that I didn't
8 have to eat prison food all the time.

9 "Swags were food -- usually hot
10 sandwiches, but sometimes other things such as
11 steaks, pork chops, or eggs. And because we had a
12 hot plate and other things like that in the
13 laboratory, we could make our own food. Guys would
14 bring me this food for keeping them on the
15 experiments.

16 "I remember that at the time, everybody
17 wanted to be on the H-Block for the experiments; it
18 was the place to be.

19 "The job working at the University of
20 Pennsylvania consumed my time. I spent my free
21 time trying to read up on medical information. I
22 tried to learn all of the words and the protocol.
23 I thought it was an opportunity to do something
24 worthwhile. I now know I was being mislead at that
25 time. Even though I worked in the dermatology

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2 laboratory over a year, I didn't gain any skills
3 that would have helped me outside of prison.

4 "Also, since I've seen the other former
5 prisoners who are suffering because of the
6 experiments they participated in, I realize that I
7 did something wrong. I realize now that I looked
8 the other way, so to speak, during the studies
9 because they didn't directly affect me.

10 "In 1967, when I was no longer working
11 in the dermatology lab, I was a subject in a
12 University of Pennsylvania study where they
13 transplanted my skin. Before they did the
14 transplants, they told me that they were going to
15 do a biopsy of the transplant.

16 "I had to sign a paper of release saying
17 I knew what I was doing and that I was consenting
18 to the test. The paper had to be signed every time
19 a test was conducted. They explained part of what
20 they were going to do with me, but they never
21 explained what effects this would have on me before
22 I signed the form. I also wasn't very capable of
23 understanding what they were explaining because I
24 didn't know the medical terms they would use.

25 "There was never any follow-up to this

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2 test. Mr. Popper from the University of
3 Pennsylvania administered the transplant experiment
4 I participated in. He was Dr. Kligman's
5 brother-in-law. He put part of my lip on my arm
6 and part of my arm on my lip. After the
7 transplants where my lip had been put on my arm, it
8 would chafe and sometimes it would swell. I
9 thought they would eventually take it off; they
10 never did, however. Even today, I still have part
11 of my lip on my arm.

12 "At the time, I felt that it was a
13 simple sacrifice. I was told I would get \$100, and
14 I wanted to use that money to support my niece. I
15 also wanted to be able to afford a lawyer. Now I
16 realize participating in the experiment was a
17 stupid thing to do.

18 "I would like to see some compensation
19 for the people who were hurt. This case is about
20 the others, really, not about me. I feel bad about
21 what happened at the studies at the prisons, and I
22 have had to come to grips with my role in it. I
23 feel like I was a part of the problem because I
24 helped do the experiments. I would like to think
25 that I have learned something from this whole

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2 experience."

3 COUNCILMAN COHEN: Thank you for that
4 statement.

5 Now, in the column in the Inquirer
6 today, it said there might be some people or one
7 person or more that would have injuries that they
8 wanted to exhibit -- on their chest, on their back,
9 or anything like that.

10 Is there anybody here who came for the
11 purpose of showing their physical injury? I'm
12 referring to it because we have to recess for
13 today, but if you did come for that purpose, would
14 you come forward.

15 (Individuals come forward.)

16 COUNCILMAN COHEN: You can stay there.
17 Could you exhibit to us the injuries you are still
18 suffering.

19 Let us get you on the record. Give your
20 name, both of you.

21 COUNCILWOMAN BLACKWELL: You can come
22 forward, and the press is welcome to take the
23 photos.

24 MR. O'HARA: Can I use a mic?

25 COUNCILMAN COHEN: Yes.

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2 MR. O'HARA: My name is Gerald O'Hara,
3 I'm a resident of Philadelphia, and I was
4 incarcerated in Holmesburg from the year 1955 to
5 1960, at which time I was told by Dr. Kligman that
6 he would remove scars from my face. It didn't
7 occur; in fact, I was badly scarred from his
8 procedure, which --

9 COUNCILMAN COHEN: Point to the scars.

10 (Witness points to scars.)

11 MR. O'HARA: Which he told me was
12 already an accepted form of dermal abrasion. I
13 found out later it was not an accepted form of
14 dermal abrasion, but by that time, the scars were
15 there and they remain there today.

16 COUNCILMAN COHEN: Thank you very much.

17 MR. GAINES: My name is Sidney Gaines.
18 I was in Holmesburg Prison from 1959 until 1968,
19 and I participated in many tests at that time.

20 COUNCILMAN COHEN: Show us your scar,
21 please.

22 (Witness shows scar on lower
23 right leg.

24 MR. GAINES: And also on my back.

25 COUNCILMAN COHEN: Could you show that

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2 or would it be embarrassing?

3 MR. GAINES: Yes, it's kind of bad.

4 COUNCILMAN COHEN: All right, thank you
5 very much. Thank you

6 MR. ANTHONY: Edward Anthony again.

7 Again, this is a sample. This square here is like
8 the patches that they put on my back (showing
9 forearms). This is a sample. I had one here, and
10 the one here over here is fading away (indicating),
11 but I had six of 'em on my back, like a
12 checkerboard.

13 And they put on scotch tape and pulled
14 it off until this area was raw, and whatever
15 substance they going to test, they put it in a
16 little square patch over that area and put a seal
17 tape over it, and they never healed.

18 And my nails (indicating) --

19 COUNCILMAN ORTIZ: Eww.

20 MR. ANTHONY: It's from when my body
21 broke out from my head to the foot like the german
22 measles, it was in my bloodstream and it settled in
23 my hands and feet, being the two most active
24 nerves -- this is what the dermatologist said. But
25 what it was, he couldn't determine. He just peeled

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2 the skin off my hand like he took off gloves,
3 peeled the bottom of my feet, and drained them, you
4 know, and they finally went back down to normal,
5 but my fingernails grew like claws, and for, like,
6 thirty-something years, I've been walking around
7 with fingernails like this, you know what I mean?

8 And I get treated because my hands every
9 summer just break out with the same kind of bumps I
10 have all over my body, and I still carry the marks
11 of that every summer on my hands, and I have to get
12 salves to soothe my hands 'cause they itch
13 internally.

14 You know, I had X-rays, and the bones
15 have deteriorated. I have pins in my feet,
16 permanent fusion with a --

17 COUNCILMAN COHEN: Thank you for sharing
18 that with us.

19 MR. ANTHONY: Yes, sir.

20 COUNCILMAN COHEN: Sir? Give us your
21 name.

22 MR. SUMMERS: My name is Warren Summers,
23 and I was incarcerated in Holmesburg Prison from
24 '65 to '68, and this is the result of the damage.

25 COUNCILMAN GOODE: Would you spell your

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2 name for the stenographer.

3 MR. SUMMERS: Summers, S-U-M-M-E-R-S.

4 Warren Summers.

5 COUNCILMAN COHEN: Thank you very much.

6 MR GUY: My name is James Guy. I was at
7 Holmesburg in 1955 to the '70s. I went through a
8 lot of different tests, but I have a scar on my
9 right arm where they took out my sweat gland for
10 the sweat study, and I also have two marks on my
11 side (indicating), one on each side.

12 Some kind of dye was implanted there and
13 it's been there ever since.

14 COUNCILMAN COHEN: Would you spell your
15 last name again for the reporter.

16 MR. GUY: James Guy, G-U-Y, James Guy.

17 COUNCILMAN COHEN: Thank you, Mr. Guy
18 very much.

19 Come forward, please.

20 MR. THOMAS: My name is William Thomas,
21 and I was on the dandruff study at the detention
22 center. I was also on the deodorant study at the
23 detention study. I have sores in my head today
24 that you could basically feel them in the front and
25 back around my neck. And every so often, it bumps

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2 up, and I have to use a certain type of antiseptic
3 to just minimize it so that it doesn't get too bad
4 and infected.

5 I also have under my arm, every once in
6 a while, I guess cysts under my left arm where I
7 had the study for the dandruff test. And the
8 cysts, every once in a while, it will bump up and
9 it will get infected. I have to take antibiotics
10 or something to get the infection down.

11 Thank you.

12 COUNCILMAN COHEN: Thank you very much.

13 Anyone else?

14 (Witness comes forward.)

15 MR. CARTER: My name is Dave Carter, and
16 I was in Holmesburg Prison from '69 to '70, and I
17 was on the patch test and the dye test, which was
18 milk shakes and stuff and cookies about three times
19 a day. And now I contracted, you know, allergies
20 of all sorts. I've had vocal cord operations,
21 ulcers, and acid reflux that I suffer from today.

22 COUNCILMAN COHEN: Thank you.

23 (Witness comes forward.)

24 MR. BROWN: My name is Titus Brown. I
25 was at Holmesburg House of Corrections several

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2 times during the '70s.

3 The only experiments I recall is the
4 cosmetic experiments in dermatology, and all the
5 places that I had patches are now discolored, and
6 at certain times of the year, they flare up and I
7 have unbearable itching. I've been to
8 dermatologists, but they never determine exactly
9 what it is. I thought was old age until I heard
10 about the experiments.

11 And across my back (indicating),
12 wherever the patches were placed, the skin is
13 discolored.

14 COUNCILMAN COHEN: Thank you very much.

15 COUNCILWOMAN BLACKWELL: Thank you,
16 Mr. Brown.

17 (Witness comes forward.)

18 MR. AHMAD: My name is Umar Ahmad
19 legally, and I was at Holmesburg in 1971. I was on
20 Thorazine, Haldol, and (indiscernible), and by
21 taking them, my chest was flat, but by taking them,
22 they started to grow breasts.

23 (Witness comes forward.)

24 COUNCILMAN COHEN: Yes?

25 MR. BARNWELL: My name is Sandy

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2 Barnwell, and I was a inmate at Holmesburg Prison
3 in 1968. I was on a depigmentation study that took
4 the color out of my skin, and after that, a lump
5 just rose up on my back and it never went back to
6 normal again.

7 (Shows scars on back and
8 shoulder.)

9 (Witness comes forward.)

10 COUNCILMAN COHEN: Yes?

11 MR. JOHNSON: My name is Randolph
12 Johnson, and I was in Holmesburg Prison in 1962,
13 and I was on the patch test. I got scars on my arm
14 and on my back. Right now, I get the Stevie
15 Johnson syndrome; it's blisters coming up on my
16 mouth and over my body. I was Treated at Temple
17 Hospital two times in the last 20 years for the
18 same thing.

19 COUNCILMAN COHEN: Thank you.

20 COUNCILWOMAN BLACKWELL: Thank you.

21 COUNCILMAN COHEN: Come forward.

22 MR. ABDULAZIZ: My name is Yusuf
23 Abdulaziz; I was known then as Joseph Lester. I
24 was in the prison in Holmesburg from 1961 to 1963.
25 At that time, I participated in the toothpaste

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2 study, and I had perfectly good teeth, but in three
3 years, all of my teeth had to be pulled. They
4 became soft and were just falling out.

5 I was also on a athletic foot study
6 which put sores between my toes, and as a result, I
7 have athlete fungus today that constantly bothers
8 me.

9 I also was on a dye study that messed my
10 bowels up. It took me a long time to have a
11 full -- you know, actually have bowel movements,
12 but it took years.

13 Thank you very much.

14 COUNCILMAN COHEN: Thank you.

15 (Witness comes forward.)

16 COUNCILMAN COHEN: Your name, please?

17 PETTIGREW: My name is Oscar Pettigrew,
18 and I was Holmesburg from the years '64 to '67.
19 During those years, I participated in several test
20 studies such as pill studies, the dandruff studies,
21 the toothpaste studies, punch biopsies, which they
22 took and punched a needle through the center of my
23 chest to take the bone marrow from it to which they
24 gave me arthritis with the pills that I took
25 following the punch biopsy. That's what it was

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2 mainly for, to see how fast arthritis would form
3 into my body, which is what it did, and it
4 destroyed the back of my spine to where I had to
5 get two back fusions done and a nerve surgery done
6 because the outer calibers of the vertebrae broke
7 off and severely cut the nerves down on the left
8 side of my back.

9 And that's just about it with this
10 study.

11 COUNCILMAN COHEN: Thank you, thank you
12 very much.

13 COUNCILWOMAN BLACKWELL: Thank you.

14 COUNCILMAN COHEN: Yes, please step
15 forward.

16 (Witness comes forward.)

17 MR. ROBY: My name is Lafayette Roby. I
18 was at Holmesburg Prison from 1963 to 1975, and I
19 was on the pill tests. And from that, I've seen a
20 psychiatrist ever since 1969 up until today. And I
21 was on the sweat box test, and I was also on a
22 toothpaste test and, like, in the later years, in
23 my thirties, all my teeth came out my mouth. You
24 know, today, I can't seem to wear dentures.

25 And I had a biopsy cut -- they right

1 5/7/02 LAW & GOV'T COMMITTEE - RES. 020171
2 here (pointing to right forearm). And from that,
3 you know, today, I still see a psychiatrist from
4 the pill test that I was on, you know, when I was
5 at Holmesburg.

6 COUNCILMAN COHEN: Thank you very much,
7 Anyone else? Just come forward.

8 (Witness comes forward.)

9 MR. ARMSTRONG: Good morning. My name
10 is Douglas Armstrong. I was in Holmesburg from
11 1965 to 1967. During that time, I was on a lot of
12 tests; some of them, I've forgot. The ones that
13 stands out in my mind now is the athlete's feets
14 [sic] test because today, my feet, you know, they
15 horrible. I mean, I have a fungus, you know, and
16 the dermatologist, he can't do anything with it,
17 okay.

18 Also, I developed a cancer in between my
19 thighs by the patch they put there and, you know, I
20 don't know whether it had anything to do with the
21 test or not but, you know, I have cancer. Thank
22 the lord that they removed it all, and it hasn't
23 been recurring.

24 COUNCILMAN COHEN: Thank you very much.
25 All right, that concludes the hearings

1 5/7/02 LAW & GOV'T COMMITTEE - RES. 020171
2 for today. This hearing will stand in recess until
3 Tuesday, May 28th, at 10:30:00 a.m. in this room,
4 Room 696.

5 Thank you all for your cooperation.

6 (Proceedings end at
7 12:56 p.m.)

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CERTIFICATE

I HEREBY CERTIFY that the foregoing
proceedings of the Council of the City of
Philadelphia's meeting of the Committee on Law and
Government of Tuesday, May 7, 2002, are contained
fully and accurately in the stenographic notes
taken by me, and that this is a true and correct
transcript of same.

RE: Resolution No. 020171

_____,
Josephine Cardillo
Registered Professional Reporter
and Notary Public

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