

Knapp Says Mayor Shares Blame for Corrupt Police

By DAVID BURNHAM

The head of the Commission to Investigate Alleged Police Corruption said yesterday that Mayor Lindsay as chief executive officer "cannot escape responsibility" for widespread corruption the panel found in the Police Department.

The chairman, Whitman Knapp, also said that a share of the responsibility had to be borne by former Police Com-

missioner Howard R. Leary, who he said had "failed to exercise leadership in the field of corruption" during his four and a half years as commander of the largest police force in the United States.

At a news conference marking the end of the 11-month investigation by the commission's 30-man staff, Mr. Knapp said that a "substantial number" of New York policemen had been found to engage in corrupt acts and that only a small group "is actively trying to do something about it."

Frیمان Questioned

The five-man panel was created in May, 1970, by Mayor Lindsay following the publication of charges in The New York Times of widespread police corruption and that high officials in the Lindsay administration and the Police Department had not acted when informed of specific acts of corruption.

Two of the officials mentioned in The Times were Arnold G. Frیمان, now a State Supreme Court Justice but head of the city's Department of Investigation until January, 1969, and Jay Kriegel, one of Mayor Lindsay's closest staff advisers.

Both Justice Frیمان and Mr. Kriegel were questioned several weeks ago by the Knapp Commission about allegations by two policemen — Sgt. David

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Knapp Faults Lindsay On Corruption of Police

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Durk and Detective Frank Serpico—that they had not taken any action when informed of corruption among gambling-enforcement policemen in the Bronx.

During yesterday's news conference, held at Mr. Knapp's law office at 26 Broadway, the commission chairman was asked whether he felt the Mayor's role in fighting corruption had been as active as it should have been.

Lindsay Criticized

"The Mayor," he replied, "as chief executive officer of this city, cannot escape responsibility for a situation that develops in a department as important as the Police Department."

Mr. Knapp added at one point, however, that he could not presume to order all the priorities of the Mayor.

In response to questions about Mr. Leary, Mr. Knapp said he believed that the former commissioner "has a lot to answer for for failing to provide leadership in this field."

Mr. Knapp refused "at this time" to be drawn into any discussion of the performance of Justice Fraiman as Commissioner of Investigation or Mr. Kriegel's role as staff assistant primarily responsible for keeping track of law-enforcement problems.

Attempts to reach Mayor Lindsay, who is vacationing in Nassau, the Bahamas, were unsuccessful yesterday. A spokesman at City Hall said the Mayor would "carefully review the interim report of the commission's investigative phase and await its detailed findings and recommendations for action."

Late last night, however, a spokesman for the Mayor telephoned The Times and described Mr. Knapp's statement as "most unfair to Mayor Lindsay, who not only established the Knapp Commission but had the courage to fight for its funding and subpoena power before the City Council."

Mr. Leary also could not be reached for comment. The commission's brief six-page interim report, which will be followed by detailed studies of different kinds of police corruption, said a fundamental conclusion of its study was that the problem could not be solved by removing a few "rotten apples."

'Climate Inhospitable'

"The commission is persuaded that the underlying problem is that the climate of the department is inhospitable to attempts to uncover corruption and protective of those who are corrupt," the report said.

Mr. Knapp said he felt Police Commissioner Patrick V. Murphy, in contrast with Mr. Leary, "is likely to go down as one of the great commissioners of this department."

"I believe, however, that before he can accomplish this goal he has got to bite the bullet and publicly recognize that the problem of corruption is not a 'rotten apple' problem."

Mr. Knapp said that although Commissioner Murphy had taken more actions to reduce corruption than any other Commissioner he knew of, he continued to cite the "rotten apple" theory of corruption in his public statements.

Mr. Knapp said this tactic meant that Commissioner Murphy had lost "credibility with his men who know it is not so."

Asked for comment, Mr. Murphy said in a statement that he wished to "thank Chairman Knapp for the confidence expressed in me personally and for recognizing the present efforts of this department to do the difficult job that all of us agree must be done." The statement did not discuss Mr. Knapp's comments about the value of the "rotten apple" theory.

The commission chairman said the investigation had found there were three different kinds of policemen.

One group, which he said included a substantial number of men, was "actively dishonest."

"Another group is not dishonest, but is not doing anything about the corruption they see," Mr. Knapp said. "A third group is actively trying to do something about it. The third group, I can tell you categorically, is the smallest."

The commission report discussed eight separate categories of corruption that its investigators had found. In narcotics, the report said the Knapp panel agreed with the State Commission of Investigation that some policemen engaged in corruption ranging from extortion and bribery to the actual sale of narcotics.

In gambling, the commission said its investigation had substantiated allegations of regular payoffs on a wide basis.

Prostitution Tolerated

The report said the operation of certain houses of prostitution suggested "they are tolerated because of payments to the police."

"This has been corroborated by evidence developed by the commission establishing the making of such payments," the report asserted.

Concerning the sale of liquor, the commission found that "payoffs are made by bars, restaurants and nightclubs for a variety of reasons ranging from the desire to avoid prosecution for outright violations of law to the mere assurance of cooperative attitudes by local police."

The report said that leading hotels, in addition to giving Christmas gratuities "to practically all ranks in the department," also provided "free food and accommodations to the local police in surprisingly substantial amounts."

The sixth area of corruption noted by the commission was the construction industry, which "was found generally to make regular payments which usually are earmarked for various police officers with jurisdiction in the area."

The report said that despite wide publicity concerning collusion between policemen and tow-truck operators, "payments by such operators to police for favorable treatment at the scene of an accident are still prevalent."

In the eighth area, the commission said it had "initially found a ritualized system of weekly police demands for payments from bodegas [small Spanish groceries] which violated Sabbath laws."

In what was one of the few optimistic notes in the report, the commission said the number of these demands apparently had greatly diminished since Commissioner Murphy ordered his men to enforce the Sabbath law only on complaint.

Edward J. Kiernan, president of the Patrolmen's Benevolent Association, denounced the interim report as "still another package of hit-and-run charges designed to smear, in a mass indictment, every man of any rank who ever served in the New York Police Department."



The New York Times/Edward Hausner
ISSUES REPORT: Knapp Commission, formed to investigate alleged police corruption, at conference here yesterday. From left: Chairman Whitman Knapp, Joseph Monserrat, Franklin A. Thomas, John E. Sprizzo and Cyrus R. Vance.