

# Knapp Unit Focuses on City Hall

## 6-Month Lag Cited on Bronx Reports of Police Graft

By DAVID BURNHAM

The commission investigating alleged corruption in the New York City Police Department has questioned a number of high-ranking Lindsay administration officials about a reported six-month delay in acting against charges of widespread graft among policemen in the Bronx.

According to information provided by officials close to the case, the delay occurred even though Mayor Lindsay was briefed on the charges.

The allegations of corruption, when finally investigated, led to criminal or departmental charges being brought against 18 policemen, making the case the biggest police scandal since the Gross book-making investigation in the early nineteen-fifties.

In a brief interim report two months ago, the commission formed by Mayor Lindsay to investigate corruption said it had found widespread graft throughout the Police Department.

Whitman Knapp, the commission chairman, asserted that it was his personal opinion that Mayor Lindsay could not "escape responsibility for a situation that developed in a department as important as the Police Department." He also said that former Police Commissioner Howard R. Leary had "failed to exercise leadership in the field of corruption" during his four and a half years in office.

The Knapp Commission, which is scheduled to hold hearings later this month and then issue its final report, is expected to discuss the question of political accountability for corruption at that time.

In developing information to shed light on this question, the commission is known to have questioned such persons as Mr. Leary, Jay Kriegel, one of Mayor Lindsay's closest advisers, and Supreme Court Justice Arnold Guy Fraiman, who previously was the city's Commissioner of Investigation.

### Began in 1967

What follows is an effort to reconstruct what happened when one complaint of police corruption reached the highest levels of city government. It is based on information provided by the Mayor's press secretary, Thomas B. Morgan, Bronx District Attorney Burton B. Roberts and a number of other law enforcement officials.

The chain of events began in the early spring of 1967, when Frank Serpico, a much-decorated New York plainclothes policeman who had graduated from City College, became convinced that the Police Department was not going to act on information he had previously given to police investigators. Patrolman Serpico had told the investigators that many of the men in his unit—the Seventh Division in the Bronx—were in the pay of gamblers.

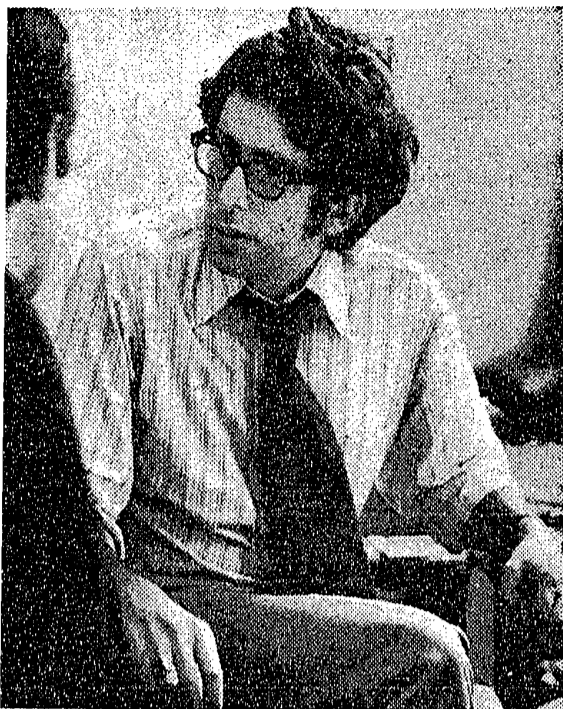
Patrolman Serpico, who later was to be promoted to detective by Police Commissioner Patrick V. Murphy for his fight against corruption, was a close friend of Sgt. David Durk, an Amherst graduate then assigned as an investigator in the Department of Investigation.

Partly because Mr. Kriegel also had graduated from Amherst and partly because Sergeant Durk had come to know Mr. Kriegel during the first Lindsay mayoral campaign, Patrolman Serpico and Sergeant Durk decided to meet with Mr. Kriegel, who was then the City Hall aide responsible for coordinating law enforcement matters.

The three young men met in Mr. Kriegel's office in the basement of City Hall where, according to Patrolman Serpico and Sergeant Durk, they presented a detailed description of the widespread nature of corruption in Patrolman Serpico's unit. Mr. Kriegel was also said to have been told that attempts to prompt an investigation by the Police Department had failed.

According to Sergeant Durk, Mr. Kriegel told him about two weeks later that the Lindsay administration did not want to act on Patrolman Serpico's information because it did not want to upset the police during the possibly turbulent summer ahead.

Mr. Kriegel could not be reached for direct comment on his reaction to Sergeant Durk's statement. But, speaking



The New York Times/Lee Romero

Jay Kriegel, City Hall aide responsible for coordinating law enforcement matters during early years of the Lindsay Administration, was told then of police corruption.

through the Mayor's press secretary, Mr. Kriegel said he had "no recollection of making any such statement."

In response to an inquiry about this meeting and what action City Hall took as a result of it, Mr. Morgan provided The New York Times with a six-paragraph statement. It was the first public comment by the Mayor's office on the allegation by Patrolman Serpico and Sergeant Durk that officials in both the Lindsay administration and the Police Department had failed to act on specific information about police corruption.

The part of the statement dealing with the meeting and its aftermath read as follows:

"Mayor Lindsay has had a deep and consistent concern about the problem of corruption. On numerous occasions over the past five and a half years, he has received a full range of reports on corruption in the Police Department from top police officials and other sources.

"These reports consist of investigatory information, civilian and official complaints, and general allegations, all of which have been weighed and discussed by the Mayor with the police high command in many meetings of anticorruption efforts.

"Jay Kriegel of the Mayor's staff had frequent conversations over a five-year period with Sgt. David Durk on a variety of law enforcement subjects. One of these discussions, which included Detective Frank Serpico, focused on the general problem of police corruption.

"Sergeant Durk was at this time on the investigatory staff of the Department of Investigation. Specific allegations by Detective Serpico already had been reported to the Department of Investigation and to the Police Department's Internal Investigations Unit.

"Mr. Kriegel, of course, briefed the Mayor on the nature of that discussion, which concerned matters that had already been reported to investigatory authorities. This information was part of the ongoing basis for the Mayor's concern and frequent anticorruption meetings with police commanders."

### Statement Challenged

Part of this section of the Mayor's statement, according to Detective Serpico and Sergeant Durk, is inaccurate. Although Patrolman Serpico had discussed the charges of corruption with police officials—and had become convinced there would be no action—a month or so passed before he spoke with Mr. Fraiman.

Justice Fraiman has confirmed that Patrolman Serpico and Sergeant Durk met with him about a police corruption matter and told him that it was not pursued because the information provided was very general and that "no specifics were ever given."

To clarify Mr. Morgan's initial six-paragraph statement, the following questions were asked of the press secretary:

¶Specifically, what did Mr. Lindsay do when Mr. Kriegel told him about the allegations of corruption from Patrolman Serpico and Sergeant Durk?

¶Did the Mayor ask for periodic reports on the progress of the investigation by the Police Department?

¶Did Mr. Kriegel ever raise

the subject with the Mayor again after the initial briefing?

¶Did the Mayor or Mr. Kriegel ever check with former Police Commissioner Leary or any other police official to find out what had been done about the allegations?

In response to these questions, Mr. Morgan said "any additional comment must await the final report and specific recommendations of the Knapp Commission."

Former Commissioner Leary has repeatedly refused to comment on the case or the reasons for the delay in its investigation.

According to a number of high police officials and Mr. Roberts, the Bronx District Attorney, no police investigation of Patrolman Serpico's allegations was begun until October, 1967, six months after Mr. Lindsay was briefed on them.

At that time, these officials said, information previously given to John Walsh, the former first deputy police commissioner, finally was forwarded from Police Headquarters to the then commander of all patrolmen in the Bronx, Assistant Chief Inspector Thomas G. Renaghan.

Chief Renaghan retired and was subsequently indicted for contempt because he refused to tell a Manhattan grand jury whether a major New York gambler — Hugh Mulligan — had offered him a bribe in return for promoting a detective.

The reason for forwarding the information about Patrolman Serpico's charges to the Bronx at that particular time is not known.

Early in May, 1968, six months after Chief Renaghan received the information and had initiated the investigation of the charges, the Bronx police commander who had replaced Chief Renaghan decided to bring District Attorney Roberts into the case.

After numerous witnesses were questioned by a Bronx grand jury, eight policemen were indicted for perjury for allegedly not telling the truth about payoffs from gamblers.

### Third of Squad Charged

Subsequently, 12 more policemen, two of whom were charged with criminal violations, were accused of violating the department's anticorruption regulations. Altogether, criminal and department charges were brought against about one-third of the policemen assigned to enforce the gambling laws in the Seventh Division, a four-precinct section of the southern Bronx.

The statement by the Mayor's press secretary also discussed an incident in 1966, when Mr. Kriegel considered suggesting a private meeting between the Mayor and a small group of policemen so he could have a first-hand account of police corruption.

According to this account, the meeting was proposed by Sergeant Durk to Mr. Kriegel, "who mentioned it to the Mayor.

"The Mayor, as well as Mr. Kriegel, felt that such a meeting would be inadvisable because the investigation was already in the hands of the Department of Investigation and the Police Department's own internal investigation division," the account said.

"It also was felt," the statement continued, "that it would be inappropriate to meet with a group of policemen in secret, going around the normal police chain of command, and without the knowledge of the Police Commissioner."