

Note From Troy to Hogan

Following is the text of a letter sent yesterday by Councilman Matthew J. Troy Jr. of Queens to District Attorney Frank S. Hogan:

The Knapp Commission hearings were a vulgar, clumsy cover-up. Your office should commence an immediate, thorough investigation to determine if the serious crimes of perjury, malfeasance, and/or misfeasance by high public officials have been committed in New York County.

Jay Kriegel's testimony yesterday conflicted with his own testimony, with the testimony of Sgt. David Durk and with the truth.

The Knapp Commission, possibly the most inept investigatory body ever assembled, failed to subpoena a tape recording that purportedly supported Sergeant Durk's recollections of conversations with Mr. Kriegel. That tape has now been destroyed, but the possibility that other valuable evidence does exist is quite strong. Sergeant Durk has testified that Detective Serpico might have a tape of Mr. Kriegel, and, in fact, he said that he had played his own tape for The New York Times and for an unnamed Knapp Commission attorney.

No efforts to attempt to ascertain whether there are additional tapes, transcripts or memos in existence was made by the Knapp Commission. Your office should undertake the neglected task of proving, if possible, perjury charges against any witness who lied under oath before the Knapp Commission.

The people of this city—it may well be that the people of this nation have a vital interest in this matter, too — do not thirst for the disgrace of a staff man who chooses to protect his boss' image. But we do demand that Mayor Lindsay be forced

to answer under oath, why he failed to report allegations of serious police corruption to any competent authority. That, as former Police Commissioner Leary said yesterday, is the \$64 question.

Additional vital evidence can be obtained by a grand jury from Whitman Knapp and Michael Armstrong, who attended a secret meeting with Mayor Lindsay, Jay Kriegel and Assistant Corporation Counsel Norman Redlich. On Sunday, Mr. Knapp stated flatly that Mayor Lindsay had been told of the alleged corruption in the spring of 1967.

I do not accept Mr. Kriegel's explanation that the Mayor wanted the Police Department, and no independent agency, to investigate charges against itself. These are hollow words, uttered on the same day, from the same witness chair, by the same person who made the following statements:

"We thought, ultimately, the police should not police the police."

"We fought for outside scrutiny of the police force."

"We sought outside voices . . ."

In short, the stated policies of the Lindsay administration with regard to the Police Department were ignored when allegations of corruption were received. Mr. Lindsay could have referred the charges to you, or to Bronx County District Attorney Roberts, but he did not.

I believe he is guilty of misfeasance and malfeasance

I believe he should be made to answer.