

# Graft Paid to Police Here Said to Run Into Millions

## Survey Links Payoffs to Gambling and Narcotics—Some on Force Accuse Officials of Failure to Act

By DAVID BURNHAM

Narcotics dealers, gamblers and businessmen make illicit payments of millions of dollars a year to the policemen of New York, according to policemen, law-enforcement experts and New Yorkers who make such payments themselves.

Despite such widespread corruption, officials in both the Lindsay administration and the Police Department have failed to investigate a number of cases of corruption brought to their attention, sources within the department say.

This picture has emerged from a six-month survey of police corruption by The New York Times. The survey included an examination of police and court records and interviews with scores of police commanders, policemen, former policemen, law-enforcement experts and private citizens.

The picture also is drawn from interviews with a group of policemen — including several commanding officers — who decided to talk to The Times about the problem of corruption because, they charged, city officials had been remiss

in investigating corruption.

The names of the policemen who discussed corruption with The Times are being withheld to protect them from possible reprisals.

On Thursday, Mayor Lindsay announced the formation of a special five-man committee to review the city procedures for investigating police corruption. Corporation Counsel J. Lee Rankin was named chairman and Police Commissioner Howard R. Leary is a member of the panel.

The announcement followed a series of meetings held at City Hall and Police Headquarters during the last few weeks after the Lindsay administration learned The Times was conducting a survey of police corruption.

The policemen and private citizens who talked to The Times describe a situation in which payoffs by gamblers to policemen are almost commonplace, in which some policemen accept bribes from narcotics dealers, in which busi-

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# Graft Payments to Policemen Here Are Reported to Run Into the Millions Annually

## Some Members of Force Say Officials Fail to Act

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nessmen throughout the city are subjected to extortion to cover up infractions of law and in which internal payoffs among policemen seem to have become institutionalized.

"Police officials always talk about the occasional rotten apple in the barrel when corruption comes up," said Ralph Salerno, a recently retired New York police sergeant and nationally respected expert on organized crime. "They'd be a lot more honest if they talked about the rotten barrel."

Only a relatively few cases of corruption are successfully investigated by the Police Department. In a recent letter to State Senator John Hughes, chairman of the Joint Legislative Committee on Crime, Commissioner Leary said that in the 137 cases of police misconduct referred to the department in the last three years, seven policemen were dismissed.

During a recently tape-recorded conversation with a policeman that was made available to The Times, the top uniformed police official responsible for stamping out corruption in his department—Supervising Assistant Chief Inspector Joseph McGovern—was asked what he had accomplished.

"What have we accomplished?" he replied. "I think I have done a damn good job protecting the Commissioner against the onslaughts of outside agencies."

**Mayor's Order Cited**

An example of the department's reluctance to openly acknowledge corruption as a problem is its response to an order issued by Mayor Lindsay to all city agencies last May 12.

The order required that "all allegations or indications of possible corruption or wrongdoing" be reported immediately to the investigation Department before any action was taken by the agency involved.

According to a source in the investigation Department, the Police Department has refused to comply with Mayor Lindsay's order.

One of the policemen who came to The Times discussed the effect of the department attitude toward corruption on the individual policeman.

"I believe that 90 per cent of the cops would prefer to be honest," he said. "But they see so much corruption around them that many feel it is pointless not to go along."

**Public's Faith Affected**

In addition to tarnishing the policeman's attitude toward himself and his job, students of law enforcement say corruption also imposes a massive secret tax on the citizens of New York, dilutes the enforcement of many laws and undermines the public faith in justice.

Some of the assertions made by policemen in The Times survey follow:

"Arnold G. Fraiman, now a State Supreme Court justice, and until January, 1969, head of the city's investigation Department, refused to look into charges that Bronx gamblers were paying policemen between \$800 and \$1,000 a month."

Mr. Fraiman learned about the case during a three-hour conversation with two policemen in his Park Avenue apartment on May 30, 1968.

Just about a year later, with no known assistance from the investigation Department, eight of the plainclothes men whom Mr. Fraiman had been told about were indicted as a result of an independent investigation by a Bronx grand jury.

Justice Fraiman said yesterday that there was a meeting with a plainclothes man who provided him with information, but he denied that he had ever discontinued an investigation of police corruption. He added that the information provided was extremely general and that "no specifics were ever given."

"Jay Kriegel, Mayor Lindsay's staff assistant for law enforcement, told a policeman early in 1968 that the administration could not act on charges of police corruption because it did not want to upset the police during the possibly turbulent summer ahead."

About a year before making this statement, Mr. Kriegel arranged for Mayor Lindsay to meet a group of policemen so he could get a realistic understanding of the problem of corruption. The meeting was called off at the last moment with urgent instructions from Mr. Kriegel to the policeman assisting him to forget that it had ever been scheduled.

Mr. Kriegel had no comment yesterday.

"A detective with many years of experience in the narcotics division said one of his colleagues had arranged payoffs to the police from major heroin dealers of up to \$50,000, in return for such favors as the destruction of evidence gathered on secret wiretaps."

Because the detective arranging the payoffs was shot under mysterious circumstances a few months ago, he now is under investigation.

Some aspects of police corruption in New York and the related costs were discussed recently in a report by the Joint Legislative Committee on Crime. The committee charged that gambling in the slums of

New York "could not function without official tolerance induced by corruption."

"Testimony before this committee clearly reveals," it said, "that the ghetto residents are perfectly aware of the corrupt relationship between racketeers and certain elements in the Police Department, and, for this reason, have a deep cynicism concerning the integrity of the police in maintaining law and order in the community."

Another aspect emerged in the anger of a Brooklyn bookmaker who complained that the plainclothes men he regularly bribed continued to demand payments even after they had been transferred out of gambling enforcement to the narcotics division. He said his payment was \$1,200 a month, divided by four levels of the department including one unit at headquarters.

The bookmaker said in an interview that some of his busier colleagues paid the police as much as \$2,400 a month and that the police imposed an extra payment if a bookmaker took bets on both the flat races and the trotters.

**Food Payoffs**

Putting an exact price tag on corruption is impossible. The Joint Legislative Committee on Crime recently reported, however, that the city's 10,000 small Puerto Rican grocery stores were estimated to give the police \$6.2-million a year in small weekly payments and free food to avoid summonses on minor charges.

Numbers operators, according to Federal and state agencies and private researchers' estimates, make payoffs between \$7-million and \$15-million a year. Builders in Manhattan report they sometimes pay local patrolmen between \$40 and \$400 a month for each building site or renovated building.

One West Side liquor dealer said he paid the police about \$2,000 a year in cash tips and free and cut-rate liquor.

Beyond the financial cost of corruption is its corroding effect on the self-esteem of the policeman.

"One plainclothes man got a bit philosophical about talking it," a policeman recalled recently. "He stated he was a poor boy and one of the minority groups and he never had any money and now was his big chance. He said, 'I don't care what they offer me, a thousand, a hundred, two dollars. I'll take it.'"

"And I said, 'Oh, my God, think about it.' And he said, 'If I did, I'd blow my brains out.'"

This sort of corruption, according to many on the force, is woven into the very fabric of the policeman's professional life. The men assigned to enforcing the gambling laws, for example, are expected to give the precinct desk officer a \$5 tip for each gambler that the plainclothes man arrests and the desk officer must process.

"Of course a gambling arrest is a lot of extra work for the desk officer," a senior police official explained. "But the real reason for the tip is that the desk officer knows the plainclothes man is making a lot of money—that the arrest usually is in some way phony—and he wants his share of the pie."

**Some Don't Go Along**

Some desk officers do not accept the tips to expedite the paperwork. "When I had a precinct," one unit commander said, "I had a desk officer that was not going along with this practice. I'd be in my office and I would hear him shouting: 'You put that back in your pocket! I get paid for this.'"

A plainclothes man agreed, in recalling an encounter with a desk officer, that the \$5 tip was not mandatory. "I don't have a pad," he told the officer. "I'm not on the payroll. I'm not taking anything, and there's nothing going out."

"And I was really surprised that this time I hit someone who was really impressed," the policeman added. "And he said, 'fine, that's O.K. with me.'"

In some precincts, policemen say, even to get a "good seat" in a radio car they must pay.

"It was recently a patrolman, a sergeant said, 'In my precinct you were supposed to pay for getting a good sector on Sunday, for getting a good post. It's so systematized that the roll-call man actually would know in a dollar figure how many pickups were on your post, and you were supposed to kick in accordingly.'"

By "pickups," he said, he meant small weekly payments made by many businesses so they could operate on Sunday in violation of the state's Sabbath law.

**Policy the Main Source**

According to the Joint Legislative Committee on Crime and most law-enforcement experts, the numbers racket, or policy game, is the single most regular source of police corruption in New York. The numbers racket—a six-day-a-week lottery in which players can put down small amounts of money—is an enormous business.

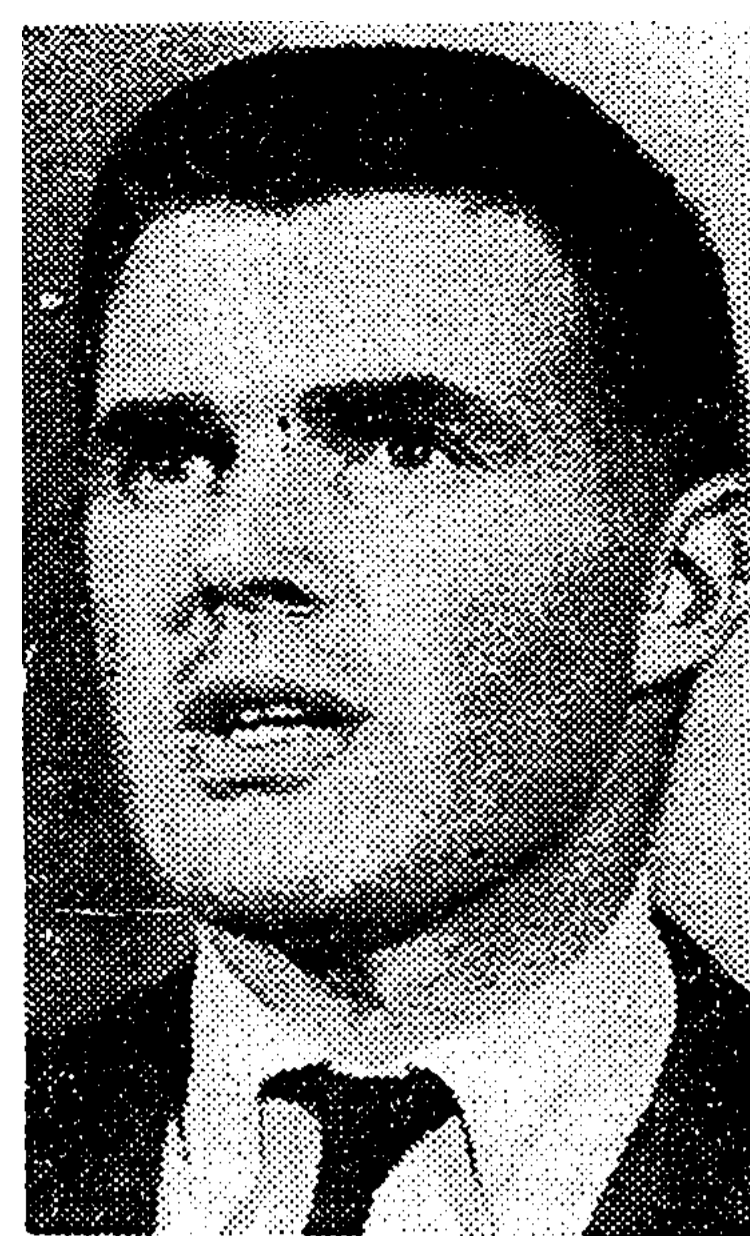
One estimate by United States Treasury agents several years ago figured that the five major number operations, or banks, in New York were receiving \$1.5-billion a year in bets. If this estimate is correct, the numbers operation's annual



The New York Times  
Mayor Lindsay



Howard R. Leary



Arnold G. Fraiman



The New York Times  
Jay Kriegel

gross is bigger than that reported by one of New York's major industries—dressmaking.

Some experts estimate that 1 per cent of the gross of the numbers operation, of \$15-million a year, is spent on payoffs at all levels of government.

Assigned to stamping out this popular, carefully organized and well-financed industry are 600 plainclothes men—patrolmen assigned to the uniformed force but who wear civilian clothes. The result, according to many knowledgeable sources, is corruption and the transformation of many of these units from law-enforcement agencies trying to suppress gambling to regulatory agencies licensing it.

Some policemen recalled that when they went to plainclothes school some of their classmates complained that going to the school was delaying them from getting out into the street and collecting graft.

Others asserted that the relationship between gamblers and policemen was so well organized that a special mark was put on the envelopes containing the number slips. The mark, they said, indicated to knowledgeable policemen that the "work" had been paid for and should be returned if possible.

**'Controller's' Mark**

"These markings are put on by the controller (a top man in the numbers racket)," one policeman said. "If there's an arrest made in the meantime, and the plainclothes men are on this work is supposed to go back because these people are paving for protection."

During the recent trial of a numbers operator who conducted his business in a hallway in the garment district, a policeman testified that he had stood in line and let 13 gamblers do business with the operator before he arrested him.

After the arrest, the special headquarters-level policeman testified, he told the gambler, "You act as if you have a license."

"I do," the gambler was quoted by the policeman as saying. "You don't think I'd operate in the open like this without a license." The policeman testified that the gambler then showed him two old lottery tickets that apparently had been given the gambler by a lower-level policeman as a sign that would guarantee freedom from arrest.

**Harassment Charged**

A plainclothes man working in Brooklyn said his Manhattan colleagues harassed him because he arrested every gambler he could, rather than the ones who failed to pay off.

"There were some who paid and seldom got arrested," he said. "It seemed like our real purpose was to beat down the competition of the gamblers who paid, to help them maintain their monopoly."

Shortly after this plainclothes man was assigned to a plainclothes squad, another policeman handed him an envelope worth \$300 in it. "This is from Jewish Max," the policeman was told.

The policeman, disturbed by the corruption, took his complaint to Capt. Philip J. Foran, then commander of the police unit assigned to Commissioner Fraiman's investigation Department.

"Well, we do one of two things," the policeman and a colleague quoted Captain Foran as saying. "I'll take you into the Commissioner and he'll drag you in front of a grand jury and by the time this thing is through you'll be found floating in the East River, face

down. Or you can just forget the whole thing."

After a discussion about what he should do with the money, the plainclothes man said, he "gave the envelope to my supervisor, who was a sergeant of plainclothes, and he was very grateful for it—he snapped it out of my hand like he was an elephant and I had a peanut."

**Conversation in a Bar**

In another instance, this time in the Bronx, a young plainclothes man was taken to a bar by another policeman and introduced to a gambler.

"This guy reached into his pocket and took out some bills and he peeled them off and he gave some to the other officer and peeled off some more and offered it to me," the policeman recalled.

"And I said to him, 'What's that for?' He says, 'Get your self a hat.' And I said, 'Well, I have enough hats.' So he said, 'Go on, take it.' I said 'If you have anything for me, give it to him,' and turned around and walked out."

The policeman explained that to have taken any action against the gambler would have violated all the "rules" of plainclothes men and possibly put his life in danger. He went on:

"I know the payoff was around — it would fluctuate from \$800 to \$1,000 a month per man. I would go around with them and at times I've even helped them count it. They would put it into neat little bundles for everybody."

"They would have meeting places and some of the guys would maintain private apartments. And they would allow double or a share and a half for lieutenants."

"I'll Keep It for You"

The plainclothes man refused to keep any money for himself.

months. Ultimately, after months, the only answer Fraiman would make was that he [the plainclothes informant] was a psycho and that they couldn't get involved and that he wasn't willing to cooperate. And that just absolutely was not the case."

After many months of no visible action from Headquarters police investigators, the Police Department learned that the investigation Department had also been informed about the regular payoffs to policemen in the Bronx. Information about the case then was sent to police officials in the Bronx and to District Attorney Burton B. Roberts.

In February, 1969, a Bronx grand jury indicted eight policemen on perjury charges and numerous gamblers for contempt charges, including one who was revealed to be an agent of Joseph (Bayonne Joe) Zicarelli. The case against one of the policemen now is being tried and the jury is expected to hand up its decision Monday. The cases against the seven other policemen are pending.

Police corruption in narcotics enforcement, according to all policemen interviewed, is nowhere near as carefully organized as corruption in gambling enforcement.

But because the potential profits are much larger, individual narcotics detectives are constantly tempted. In recent years, for example, three New York narcotics detectives, two Nassau County investigators and a Federal agent were arrested on charges of selling drugs.

Last year two detectives were arrested and accused of trying to bribe an assistant district attorney in the Bronx to go easy on a heroin wholesaler.

**3 Charged With Extortion**

Only last month three detectives were charged with extorting \$1,200 in cash, 105 "decks" of heroin and a variety of personal possessions from five New Yorkers.

But there is some evidence that a more regular kind of corruption is not entirely unknown. One policeman, with six years of experience in the narcotics division and its elite special investigating unit, said one of his fellow detectives arranged payoffs to policemen from the largest heroin dealer.

These payoffs, he said, ranged from \$5,000 for changing testimony just enough so a drug-seller would not be convicted to \$50,000 for the sale of a "wire"—the recorded conversation made by a police wiretap or bug.

The detective who allegedly arranged the payoffs recently was shot and seriously wounded in a gun battle near a Bronx hangout of major heroin importers. The case now is under investigation.

The detective who described the alleged incident to The Times said that, in at least one case he knew, several of his colleagues collected a great deal of damaging evidence about a major heroin dealer, let the alleged payoff arranger know they had the evidence and then waited for a bid from the criminals. The bid came and the money was collected, he said.

Several high-ranking police officials said in interviews that many narcotic detectives—because they are encouraged to meet a quota of four felony arrests a month and because so little money is available to pay informers—resort to stealing drugs from one addict and giving it to another to buy information.

In addition to the graft potential in the narcotics traffic itself, corrupt policemen are in a position to exert considerable pressure on the owners of bars and restaurants. This is because a narcotics arrest in such an establishment means the owner can lose his liquor license.

A detective with several years of experience in narcotics enforcement said he heard a top commander in the narcotics division chastising another official for not demanding and receiving regular payoffs from the bars in his jurisdiction.

But the payments to policemen by an unknown number of New York's 4,434 licensed taverns is only one of a variety of payments made by legitimate businesses and institutions in New York.

Some of the 2,232 licensed liquor stores, for example, also make various kinds of payments to the police. One busy West Side liquor dealer said:

"At Christmas time, the eight men working in the patrol car get \$5 apiece, the five sergeants get \$10 each and the two lieutenants get \$50 each. Then there are the Christmas

bottles—they usually want the most expensive brand of Scotch—for the traffic policemen, the mounted policemen and eight or nine precinct patrolmen who come in with their hands out.

"Then over a year, the guys will come in and say, 'Well, I'm going on vacation, how about a bottle?' or give some other excuse why they should get something for nothing. Finally, I'm expected to sell at cost—no profit at all—to all the cops in the area. I estimate that all of this costs me between \$2,000 and \$3,000 a year."

**Value Received**

The businessman knew he was acting in violation of state law, but said he got something for his money.

"First, I want my customers and suppliers to be able to double-park for a few minutes without getting a summons," he explained. "Second, I know that when I call for help the precinct will come pretty fast."

Construction companies are another vineyard for the police, although the amount paid seems to vary from borough to borough and even from precinct to precinct. A Manhattan architect said that it was his experience that the standard fee for the police was \$400 a month and that the money so regular that members of the force in one precinct did not even hesitate when the contractor started building a new house for them. "I was amazed, they came around and while he was renovating a put the arm on me for \$40 a week," he said.

Another source of illegal money is said to be the "reward" some insurance companies and other concerns are paying detectives for the return of stolen goods.

A few months ago a lieutenant and detective on the Lower West Side were indicted on charges of extorting \$5,000 not enough; it's \$40 a month from Montgomery Ward with the sergeant and \$5 a month for the eight guys in the patrol car. What annoyed me was that this payment didn't even stop the parking tickets."

Another contractor new to the city and on his first job frequently they take place. But one knowledgeable agent of the Federal Bureau of Investigation said he felt the payments of rewards was not unusual.

"One of the guys walked over to her dresser and scooped up a large handful of subway tokens and dropped them in his pocket. No one said a word. It killed me, but there was nothing to do. There was no sense telling the sergeant because he was part of the club."

"It's a lot cheaper to pay a \$5,000 bribe," he said, "than to lose \$100,000 worth of mink coats."

According to another contractor, the extortion of money from construction companies is usually was picked up by the force in one precinct did not even hesitate when the contractor started building a new house for them. "I was amazed, they came around and while he was renovating a put the arm on me for \$40 a week," he said.

"The sergeant told me the fee for his services would be \$40 a month," the contractor said. "I asked him what the \$40 would give me and he said something about there being 13 sergeants in the precinct and they would leave me alone."

"After I gave him the money he was very congenial and kept asking me whether all the

financial conditions were satisfactory. He was very pleasant. Prior to that he was sort of demanding."

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