

POLICE SAID TO GET ROOMS AND MEALS FREE FROM HOTELS

Cost in Year to 7 Hotels Put
at \$60,000—Knapp Unit Is
Told of Tow-Truck Graft

KRIEGEL MAY BE CALLED

Aide to Lindsay Would Face
Questions About Response
to Corruption Charges

By DAVID BURNHAM

Evidence that seven New York hotels gave policemen food and rooms worth \$60,000 a year and that honest tow-truck drivers are the targets of police shakedowns and harassment throughout the city was presented yesterday at a hearing of the Knapp Commission.

In another major development the commission is expected to announce today that it has decided to ask Jay Kriegel, a close associate of Mayor Lindsay, to testify in public

Excerpts from the Knapp hearings are on Page 24.

about the Lindsay administration's response to reports of widespread police corruption.

The hearings are expected to be held in about four weeks and will center on charges by two policemen—Sgt. David Durk and Detective Frank Serpico—that officials in both the Lindsay administration and the Police Department failed to follow up on specific reports of widespread graft.

Memo and Voucher

During yesterday's hearing a commission investigator presented a hotel memo and voucher showing that the Statler Hilton Hotel last December paid 36 policemen—including two captains, two lieutenants and eight sergeants—Christmas gratuities totaling \$335.

The tips ranged from \$50 for the precinct captain to \$5 for each of the eight radio-car patrolmen assigned to the area of the hotel.

The commission also presented summaries of how much seven selected hotels charged off to policemen for various periods during the last year.

Records from the New York Hilton, for example, indicated it had provided 80 different policemen from the rank of inspector to patrolman with 144 meals costing a total of \$4,662.77 between last January and May.

Records from the Taft Hotel indicated during the first half of 1971 that 142 different policemen had been provided free rooms on 168 occasions. The commission estimated the cost of these rooms at \$2,500.

The expenses charged to the police in the five other hotels were \$449.11 at the Park-Sheraton during November, 1970; \$627.45 at the Americana during last February, March and April; \$1,586.70 at the Statler Hilton last May; \$420 at Loew's Midtown Motor Inn from last January through June, and \$278.10 at the Holiday Inn at LaGuardia Airport last May.

A commission investigator,
Continued on Page 24, Column 3

HILTON HOTELS CORPORATION

INTER-OFFICE CORRESPONDENCE

To: Mr. Hook ✓ cc: Mr. Jacoburger
 From: Mr. Ostroff Unit: Statler Hilton N. Y. Date: 12/18/70
 Subject: CHRISTMAS GRATUITIES - Police Dept.

This is your authorization to turn over to Mr. Jacoburger, \$335.00 in cash to be broken down and distributed in accord with the attached list.

Thanks.

AJO:AMS

To: Mr. Ostroff
 From: John D. Jacoburger Unit: Security Dept.
 Subject: Christmas' Gratuities - Police Dept.

Allen J. Ostroff
 Date: 12/17/70

14th Pct. Uniform			
Capt. _____	\$50	Ptl. _____	\$5
Leut's _____	\$25	Ptl. _____	\$5
Sgt. _____	\$10	Ptl. _____	\$5
Sgt. _____	\$10	Ptl. _____	\$5
Sgt. _____	\$10	Ptl. _____	\$5
Sgt. _____	\$10	Ptl. _____	\$5
Sgt. _____	\$10	Ptl. _____	\$5
Radio Car (8 Ptl.)	\$40		
			Total \$ 200
14th Detective Squad			
Leut. _____	\$25	Det. _____	\$10
Sgt. _____	\$10	Det. _____	\$10
Sgt. _____	\$10	Det. _____	\$10
			Total \$875
S. U. B. (Traffic)			
Capt. _____	\$25	Ptl. _____	\$5
Leut. _____	\$5	Ptl. _____	\$5
Leut. _____	\$5	Ptl. _____	\$5
Sgt. _____	\$5	Ptl. _____	\$5
			Total \$60
Aggregate Total \$ 335			

'CHRISTMAS GRATUITIES' for members of Police Department are described in this copy of a memorandum provided by the Knapp Commission. The men's names are obscured.

Police Said to Get Hotel Rooms

Continued From Page 1, Col. 1

Mark K. Hanson, who is a retired Army counter-intelligence colonel, estimated that the cost to the seven hotels that had been investigated came to \$60,000 a year.

As the hearings were proceeding at the Association of the Bar of the City of New York, 42 West 44th Street, City Councilman Theodore Silverman, Democrat Brooklyn, and six other Councilmen demanded that the commission chairman, Whitman Knapp, give them an accounting of how the commission spent the \$300,000 appropriated for it by the Council.

A dramatic point of yesterday's hearings came during the testimony of George Burkert, a 23-year-old tow-truck driver with a professed distaste for paying off the police.

Losing a Customer

Mr. Burkert, wearing a lavender shirt and black pants and sporting a goatee and thin mustache, told the commission that at least twice police captains persuaded his bosses to dismiss him because he would not go along with the system of pay-offs. He said on another occasion, the police harassed him by issuing him 13 tickets in 26 minutes while he actually was sitting in a precinct station.

Mr. Burkert testified about another time, when he was the first to respond to the scene of an accident. He said a patrolman persuaded the driver of the damaged car to use another tow-truck company.

"I called the officer over to me and I said, 'Officer, what's the problem, that you have called the [other] truck,'" Mr. Burkert testified.

He said the policeman replied that he had not received the customary payoff on three previous accidents and that "I wasn't going to get this one."

Annoyed by the continuing harassment, Mr. Burkert said he approached the Knapp Commission and agreed to become an undercover agent.

During this period, while under the surveillance of commission agents and equipped with a hidden microphone and transmitter, Mr. Burkert allegedly paid policemen in four scattered precincts bribes ranging from \$10 to \$50.

Stations Listed

Policemen accepting bribes, according to the testimony and tapes, came from the Fifth Precinct house at 19 Elizabeth Street, the 19th Precinct house at 153 East 67th Street, the 108th Precinct house, at 5-47 50th Avenue, Long Island City, Queens, and the 114th Precinct house at 23-16 30th Street in Astoria, Queens.

The commission counsel, Michael F. Armstrong, said the tapes made by Mr. Burkert and other evidence obtained by the commission indicated that shakedowns and harassment were "fairly common throughout the city."

The single most startling incident, however, involved the alleged payment by Mr. Burkert of a \$30 bribe to two policemen sitting in their patrol car just around the corner from the 19th Precinct house.

Besides being recorded by commission agents, the payoff was filmed by a camera crew from WNEW-TV, at the request of the commission. The color film, which lasted about a minute, showed the payoff, the two policemen spotting the camera hidden in a panel truck

and the patrol car chasing the panel truck.

According to Mr. Armstrong, the two policemen stopped the television crew but let its members go after the producer said they only were filming street scenes.

Several days later one of the patrolmen called Mr. Burkert and said they were worried the camera crew might actually have been working for the Knapp Commission.

"Well, I guess they seen me like hand you the money, right?" Mr. Burkert asked, as recorded on the tape played in the hushed hearing room.

"Well, that's it. We were talking about that," the policeman replied. "That's why we spoke it over with the delegates, you know, and the captain before, you know."

Each precinct has at least two delegates to the Patrolmen's Benevolent Association and later exchanges indicated this was what the policeman was referring to. Later conversations also indicated that the policeman had not actually told his captain he had received a bribe.

"I had originally thought, you know," the policeman was heard saying, "that I know you and I had lent it to you the night before, you know, and that you had just met me to pay it back."

"But it's not going to go over. It's going to go over like a lead balloon, they felt. That's what they feel."

'Hoping and Praying'

The policeman, obviously worried, was heard saying a few minutes later: "We're hoping and praying that nothing really is ever going to come from it, but just in case it did, that's why I figure we all have to have the same story."

The policeman said several times that he had discussed the matter with his precinct delegate, who in turn had talked with a union lawyer, and that they felt "the department just wouldn't buy any kind of money transaction."

The policeman said that instead of agreeing to a story about a loan, the delegate felt that prosecution would be impossible provided the tow-truck driver stuck to a story denying he had ever passed the money.

"They [the prosecutors] can say they got it, they can have 9,000 pictures, they can show them to you," he said. "But unless you actually say, 'Yeah,

I gave it to him,' you know, or I would say yes, he did."

The policeman's voice is then heard suggesting what the driver should say. "Ah, Jeez, I was counting my own money, that's all. Jeez, I might have leaned my hand into the car. I mean, you can say anything, you know what I mean? I never gave him anything."

Mr. Armstrong said one of the two policemen involved had been approached and shown the evidence concerning this transaction. The commission counsel said the policeman admitted his part in the deal, but could not testify because of illness.

Edward J. Kiernan, president of the Patrolmen's Benevolent Association, declined to answer questions about the incident. But he issued a brief statement saying that members of the association's legal staff were "among the most distinguished in New York City."

"To my knowledge, they have never participated in the fabrication of a lie nor would the P.B.A. ever ask them to do so," he asserted.

At one point in the tape Mr. Burkert expressed concern that the payoff had taken place near the precinct house when a large number of policemen were in the vicinity.

"The cops are nothing," the policeman replied. "You know what we should have done? We should have taken you right into the station house."

"The cops are nothing?" the tow truck operator said. "Well," the policeman said, "that's the easiest. Cops you never worry about."



The New York Times
CITES HOTELS' GIFTS:
 Mark K. Hanson, a Knapp Commission investigator, telling of free rooms and meals provided for policemen by some hotels here.