

# New York: Rockefeller's Police State

## I: INTRODUCTION

On January 4, 1976, the Long Island paper *Newsday* reported in an article entitled "Illegal State Wiretaps Reported":

"The New York State Police regularly conducted illegal wiretapping and bugging during Nelson Rockefeller's years as governor...the sources' accounts of illicit state police eavesdropping is contrary to sworn testimony given by Rockefeller during his confirmation hearings for the Vice Presidency."

The *Newsday* article has also appeared in nearly 40 newspapers around the country, including the *Philadelphia Inquirer*, *San Francisco Chronicle* and the *Chicago Sun-Times*.

This national press coverage has intersected support for Rockefeller's impeachment organized by the U.S. Labor Party, thereby putting enormous pressure on Congress to move to initiate such proceedings.

Labor Party delegations have brought the evidence to the attention of members of the House Judiciary Committee and sources close to the committee indicate that the material is now under serious consideration.

In a memo of three months ago William Haddad, head of the NY State Assembly Office Legislative Oversight and Analysis Committee reported to the Speaker of the State Assembly Stanley Steingut, that "the NY State Police have collected and filed over one million index cards on organizations and individuals who have committed no crime and are not suspected of having committed a crime. Included in the files are dossiers on almost all Assemblymen and State Senators, Congressmen, controversial State and local officials, reporters who have criticized the State or the police..."

Every political figure in this state who has ever opposed Rockefeller on any issue, no matter how trivial knows personally the methods used by the Rockefeller machine against its opponents—from smear campaigns and frameups to goon attacks and murders. Many have been driven from public life by Rockefeller's state gestapo.

Now such opponents of Rockefeller have been given a chance to fight back. Following a suit brought by the U.S. Labor Party to enjoin the State Police from destroying those files before they could be used as evidence against Rockefeller, the State Assembly has authorized an investigation of the State Police files.

The current political battle initiated by Governor

Hugh Carey and his supporters to remove Maurice Nadjari as Special Prosecutor must be understood in this context. Funded by the Rockefeller-controlled national gestapo, the Law Enforcement Assistance Administration (LEAA), the Special Prosecutor's office has functioned as Rockefeller's personal blackmail machine—effectively controlling politics in New York City over the last three years through illegal surveillance and wiretaps, character assassinations, extortion and back room deals.

New York City and State political leaders, many of them victims of Rockefeller's operation, right now have a special opportunity—and obligation—to make sure that this gestapo is dismantled **completely** and that its boss, Nelson Rockefeller is removed from public office.

The following brief outlines Rockefeller's New York police state apparatus and describes how it came to take its present form. Special emphasis is given to the creation of the State Special Prosecutor's office and the qualifications and role of its current inhabitant, Maurice Nadjari.

An appendix to this brief, to be published within the next two weeks, will show how this gestapo apparatus was deployed against Rockefeller opponents and their political machines, including the cases of former New York Governor Averell Harriman, former New York City Mayor John Lindsay, State Assembly Minority Leader Perry Duryea, Jr., former U.S. Senator Charles Goodell, former New York County Democratic Chairman Carmine De Sapio, Rep. Mario Biaggi, and the late Rep. Adam Clayton Powell.

Writing in today's *Newsday*, columnist Patrick Owens states:

"...it would be difficult to overemphasize the seriousness of assaults on individual liberties and the process of justice committed in Rockefeller's years as governor. The state police operated against critics and enemies of both the governor and the country's socio-economic system. While the whole tale is far from told, we know enough to appreciate that the Rockefeller **apparatus** went as far as it thought it could toward creating the trappings of a police state. If this phrase seems excessive, ask what a police state is like and how far toward it New York moved under Rockefeller.

"How many (other) Rockefeller foes within the Republican and Democratic Parties were the recipients of illicit, secret police surveillance? This is something we need to know, and only the Legislature can find it out definitively..."

"Your name may be in the file. If not yours, surely that of a neighbor or acquaintance. How does that

make you feel, knowing that your state government has been spying on you and fellow citizens? What are you going to do about it?"

Jan. 11, 1976

## II. THE APPARATUS

From the time of his election in 1958, Nelson Rockefeller made the issue of "criminal justice reform" his personal mission. Clearly foreshadowing the takeover of local police forces nationwide by the Law Enforcement Assistance Administration (LEAA), Rockefeller used the New York method of high-technology social control as the model for the rest of the country. Pioneering the institutions that now comprise the invisible government, in fifteen years Rockefeller built a Gestapo, turning New York into his personal police state.

Unlike most other states, in New York the State Police are run directly out of the governor's office—a fact which the Vice President alluded to during his testimony before Congress. Rockefeller made full use of this fortuitous advantage.

In 1961, as the FBI was heavily involved in extensive illegal COINTELPRO operations, Rockefeller appointed Arthur Cornelius, Jr. a former FBI agent, as Superintendent of the State Police, in an effort to "modernize" the agency. Cornelius immediately reorganized his command structure, filling many of the key posts with fellow FBI agents.

As the Jan. 4, Newsday article points out, it was during this period that the State Police fed information from illegal electronic surveillance to the FBI. They then falsified their own records to cover up violations of direct orders from President Lyndon Johnson and then Attorney General Ramsey Clark which barred such operations. These actions were carried out in defiance of the Supreme Court of the United States which had ruled against the New York State Laws which legalized wiretaps and surveillance, finding them unconstitutional.

Testifying before U.S. District Court judge Charles L. Brieant of the Southern District of New York, William Haddad, head of the Office of Legislative Oversight of the New York State Assembly, established that:

- \* there exist one million 5x7 index cards on individuals and organizations;
- \* these cards reference back-up material stored in manilla envelopes containing the results of surveillance, investigations, etc.;
- \* these are "non-criminal" files distinct from files compiled during criminal investigations;
- \* some of this material was obtained through wiretaps;
- \* the State Police "had files on most members of the Legislature."
- \* the files contain "political profiles" of individuals;

\* that 160,000 names of individuals who signed nominating petitions of political parties had been in the police files (Haddad later identified these names as from petitions of socialist political groups);

\* that, in violation of State law, no records had been maintained showing who has used or taken material from the files.

According to Haddad, these files were almost entirely compiled during the time when Rockefeller was governor of New York, from 1958 to 1973.

During questioning in his confirmation hearings, Rockefeller denied that he had used the State Police for personal reasons or for investigations other than those pertaining to background checks on potential state employees.

Judge Brieant, at the conclusion of the hearing on the U.S. Labor Party motion for a preliminary injunction barring the destruction of files, made a formal "finding of fact" that there do exist non-criminal files on one million individuals and organizations.

### New Gestapo Units

During this period of time, Cornelius set up two new units to augment the detectives in the Criminal Investigation Bureau, the Special Investigations Unit (SIU) and the Special Services, which was directly responsible for maintaining and centralizing the one million illegal files. The SIU operated outside the regular chain of command, directly reporting to State Police headquarters. It was primarily involved in the so-called fight against organized crime, and under this pretext, it made extensive use of wiretaps and bugs — some with court orders and some without, according to sources cited by Newsday. The unit thus "accumulated" evidence linking Rockefeller political opponents to underworld figures. Some of this evidence (much of which was "manufactured") was then mysteriously leaked to the press for "political smear" campaigns.

The Special Services branch, concentrated on gathering intelligence on political groups suspected of "subversive" activity, developing a system of paid informers and infiltrators. Information revealing the breadth of these COINTELPRO-type operations is also in the files.

Under the personal direction and control of Gov. Rockefeller, this entire New York State political surveillance network was computerized and interfaced with its counterparts in other federal and state agencies through the LEAA. The network, the New York State Identification and Intelligence System (NYSIIS) was run exclusively out of the executive branch of the state government and served as the model for the rest of the country, having been the earliest state data base and communications network within the FBI's National Crime Information Center (NCIC).

The computer integration allowed Rockefeller to gain top-down control over all state law enforcement activities by maintaining a centralized control over the flow of information. Cited in the 1967 Report of the President's Commission on Law Enforcement and the Administration of Justice under Lyndon Johnson, the New York State model was the best existing illustration of how technology could be used for social control. Included in the NYSIIS system—which to date has been expanded by the New York State Police Information Network (NYSPIN)), the state system is interfaced with the entire LEAA national communications network and the FBI and has computer terminals in thousands of local police districts. In its information banks are name searches, pattern analysis, social history, modus operandi, scientific and criminology research, handwriting, voice prints, and motor vehicle information of any individual who ever had contact with the "criminal justice system," including those who have been arrested or charged, but never convicted.

Given the standard operating procedures of the State Police which called for the computerization of all bits of potentially useful information, it is almost certain that the information in the "Rockefeller files" has already been logged into the NYSPIN and at this point remains accessible for use by the Rockefeller gestapo.

#### **National Implications**

In 1968, the Law Enforcement Assistance Administration was created through the Omnibus Crime and Safe Streets Act, to coordinate national changes in criminal justice procedures — training the police the create a national Gestapo. Under provisions that allowed the LEAA to utilize the expertise of every existing federal agency involved in law enforcement — civilian or military — the door was opened for CIA training and infiltration of local police departments.

In New York, the establishment of a State Planning Agency and a statewide Crime Control Board gave Nelson Rockefeller direct control of future innovations in local governmental subdivisions with the state. Law enforcement experts were immediately deployed to city governments to guide local officials in utilizing the influx of federal LEAA funds for new police hardware, the creation of new units, and what training was necessary. This funding widened the participation in the NYSIIS data bank to include the local courts and the country prosecutors' offices.

By giving the various local courts and prosecutors access to the NYSIIS, they were provided with a detailed criminal and social history of offenders. An individual's right to due process was thus, summarily, circumvented.

Meanwhile, through various "reforms" of the prison system and penal codes, the court dockets became a manpower listing for recruitment into slave labor programs or LEAA-created terrorist gangs like the

Black Liberation Army. Thousands of drug offenders, for example, were funnelled into methadone and behavior modification centers under the guise of being given a more "humane treatment" by the "new" criminal justice system. In other cases, defendants were offered a deal: they could waive their right to trial and be placed into pre-trial diversion programs. Under these programs a defendant agreed to place himself under supervision of a state appointed supervisor for a period of years during which he was little more than a "deployable body."

Rockefeller often boasted that his reforms of the criminal justice system were a model for what was later done (under the auspices of the LEAA) in the rest of the country.

#### **Nazi Drug Control**

As the official activities of Governor Rockefeller focused on reorganization of state governmental bodies, the philanthropic efforts of the Rockefeller family concentrated on the most vicious forms of research into social control since the inhuman Nazi Doctor experiments of the Hitler regime. Like the police state hardware, Rockefeller-financed innovations in behavior modification and methadone maintenance became the model for urban centers in the rest of the country.

In 1965, the Rockefeller Institute published the earliest studies on the application of methadone in dealing with drug addiction. Methadone is a highly addictive synthetic heroin substitute developed by doctors in Nazi Germany. It was originally called "dolophine" for Adolph Hitler. In 1968, the pilot project status of the Vera Institute for Criminal Justice, a New York City-based think-tank funded by Standard Oil of N.J., the Ford Foundation and various federal agencies, was expanded through the LEAA to a city-wide program and exported to other cities.

In 1972 Rockefeller's new drug laws establishing life imprisonment for narcotics offenders immediately made methadone rehabilitation very popular among addicts. There was no lessening of the drug addiction problem, merely the substitution of legal Rockefeller-controlled and sanctioned drugs for heroin.

The significant difference for Rockefeller was an economic consideration — the Vera Institute's ten years of pilot programs showed conclusively that methadone addicts are dependable and work hard — though somewhat sluggishly. This docile workforce, totally dependent on Rockefeller's methadone pushers, replaced municipal workers wherever possible through projects like Wildcat Services, a Vera Institute creation.

The underside of the Rockefeller police state is the ever-present capability for immediate terror deployments — the existence of political hit squads. Within NYC, the so-called Black Liberation Army was actually deployed to carry out assassinations of police.

The Black Liberation Army operation, run out of Lincoln Hospital in the South Bronx, provided an immediate excuse for turning police into a civilian counterpart to the Green Berets.

The brainwashing of methadone addicts was carried out in Lincoln Detoxification Center in the South Bronx, a project of Albert Einstein School of Medicine attached to Yeshiva University. Following a 1970 investigation in the New York City Health system, ex-CIA agent Gordon Chase, a veteran of the Bay of Pigs invasion and the Agency for International Development (AID) was appointed to head the New York City Health Services Administration. He proceeded to insure ample funding for the largest methadone center in the city, Lincoln Detox. Simultaneously Lincoln was taken over by an amalgam of CIA countergangs and black and Puerto Rican nationalists from the South Bronx.

Shortly after this, marathon political education classes were instituted at the center — these classes defined the primary enemy as “white racist cops” and created the zombie cop-killers of the BLA.

The Labor Party has elsewhere provided extensive documentation of the CIA-LEAA creation of the Symbionese and Black Liberation Armies. Why a federal agency would create zombie teams to murder police can be answered very simply — a police state demands an atmosphere of hysteria in which the population can be induced to accept, even to demand the repression of civil liberties in the interest of public safety.

### **III: THE GESTAPO COMES TO THE SURFACE: ROCKY'S “SPECIAL” INVESTIGATIONS**

Simultaneous with the final organizational changes carried out in the State Police under Rockefeller, critical state investigations were conducted that later provided the basis for targeting localities for LEAA reforms. The State Police handled surveillance and hard-core intelligence while the Governor's commissions — the State Commission of Investigation and the Scott Commission (Temporary State Commission to Investigate Government Operations in New York City) — probed every issue from organized crime to civil employee performance, looking for an opening. Not dependent on such niceties as “hard evidence,” for its propagandist value the Commission's muckraking laid the basis for future charges. Attorney General Lefkowitz's 1973 indictment for election fraud against former Speaker of the State Assembly, Perry Duryea, foremost opponent to Rockefeller within the New York Republican party, is an exemplary case of this kind of smear operation. The Scott Commission's chief counsel was the present State Special Anti-Corruption Prosecutor, Maurice Nadjari.

Whenever political opposition to the LEAA “reforms” prohibited the implementation of high

technology and counterinsurgent changes in local governments, a well-placed corruption probe eliminated the obstacles. In New York City, it took a two-year publicity buildup from the Knapp Commission and the appointment of CIA-agent Patrick Murphy as the new Police Commissioner to break the strong opposition of the entrenched Democratic Party organization. Under Commissioner Murphy, the Internal Services Bureau and the Intelligence Division of the New York Police Department were vastly expanded, paralleling the changes in the State Police effected by Rockefeller.

### **The Knapp Commission: The Takeover of New York City**

From its creation in 1970, the Knapp Commission was a key element in a national plan by the Rockefeller capitalist faction to use alleged corruption to open the way for massive reorganization of the criminal justice, along the lines already effected by Rockefeller in the state of New York. Using the spectacular corruption stories, the LEAA, which provided a significant portion of the Commission's funding, systematically broke the hold of old-line police and opened the way for creating a national gestapo under the direct control of the National Security Council.

There is absolutely no evidence to substantiate the myth the Knapp Commission conducted a fight against corruption. Carefully planned to win the support of liberal layers around the “corruption issue, built by the New York press, the Knapp Commission also became the key step in a cold coup conducted by Rockefeller to destroy the Democratic Party organization and home rule in New York and in particular, to destroy the political career of Rockefeller opponent, the then Mayor, John Lindsay. The dismantling of the city government and the police department begun with the corruption scandals served as a prototype for similar operations later launched in other Democratic urban strongholds.

Created in April, 1970 by Mayor Lindsay under pressure from a New York Times exposé on extensive corruption within the NYPD, the Commission immediately gained wide recognition. It was staffed by figures of national significance: the Rockefeller-linked Cyrus Vance, former U.S. Assistant Defense Secretary, who worked with MdGeorge Bundy planning counterinsurgency for Vietnam; Whitman Knapp, a Wall Street lawyer; Franklin Thomas, former Assistant U.S. Attorney General, and Joseph Monserrat, then president of the New York City Board of Education. The bloodhounds who provided the evidence for the commission were taken from the undercover rosters of the FBI, the Internal Revenue Service, Army intelligence, as well as informants from the ghetto drug machines.

There was virtually no limit to the illegal methods used in getting the evidence for the Commission's widely publicized scandals. Two of the crucial witnesses were later convicted of felonies — Patrolman W. Phillips was convicted of murder by the late Manhattan District Attorney Frank Hogan, and T. Ratnoff, an electronics expert, convicted of illegal eavesdropping and bribery in gathering the evidence he had provided.

The exploits of a Knapp Commission informer, Frank Serpico, were hyped into a best selling novel and then a popular motion picture — leading one to speculate that the LEAA might have been behind both these ventures.

There was strong opposition within the city government to the Knapp Commission, particularly from the City Council, the Police Benevolent Association, the Sargeants' Benevolent Association and then Police Commissioner Leary who claimed it was damaging to the morale of the police force. But this opposition was no match for the LEAA, which used the Knapp probes to nationally justify the takeover of police departments by the national agency. When the city agencies refused to provide enough funding for more than a few months of operation, the LEAA stepped in with \$215,000 in federal funding, and provided dozens of consultants and advisors from all Federal agencies concerned with law enforcement. Later, the Knapp Commission received contributions for its "war against graft, gambling, etc." from half-score private foundations, many of which are known CIA conduits, including the Fund for the City of New York, a Ford Foundation front; and the New World Foundation, which had previously funded the CIA-controlled Students for a Democratic Society (SDS).

As is obvious from its poor results in obtaining convictions against significant city or police officials, the Knapp Commission concentrated far less on cleaning out corruption, than on creating the atmosphere of political witch hunts — a public relations job which prepared the population for the coming wave of "police reforms."

#### **The Role of Patrick Murphy**

In October, 1970, five months after the Knapp Commission's creation, Police Commissioner Leary was driven out of office by the indignant press which carried banner headlines on the Knapp probes. His carefully selected replacement was Patrick Murphy, who had just completed a tour of duty for the LEAA, where he had carried out reorganizations of several local police departments.

Murphy had himself come up through the ranks of the New York Police Department, where he was catapulted into a national role — uncharacteristic of a policeman's career — with the help of the CIA. In 1963 Lt. Murphy left New York, with his later-to-be First Deputy Police Commissioner W. T. Smith, to

reorganize the Syracuse Police Dept. following a corruption scandal. In 1964, Murphy briefly headed the New York City Police Academy, until he joined the Office of Law Enforcement Assistance, precursor of the LEAA.

In 1965, Murphy was discovered by liberal Attorney General Ramsey Clark, one of the authors of the LEAA legislation, who appointed him Director of Public Safety in Washington, D.C., which also made him chief of Washington, D.C. Police.

In 1968, then President Lyndon Johnson appointed Murphy to head the LEAA, but this was turned down by the U.S. Senate. After a brief stint with the Urban Institute, a counterinsurgency think-tank, Murphy was brought into riot-torn Detroit, where he served as Police Commissioner in 1969.

Murphy brought \$6 million in funding to the Detroit police department which turned Detroit into the first city with an actual fascist police system. The LEAA funds were used to create "community relations" patrols and organize the population into a network of neighborhood blockwatchers modeled on the Nazi kapo system, and the STRESS killer unit which operated on the same principles as the Brazilian CIA-trained Death Squads.

After his appointment as NYC Police Commissioner, Murphy immediately set to work decapitating the existing leadership of the NYPD. Under the guise of the fight against inefficiency and archaic police methods, Murphy eliminated a dozen old-line police commanders for "failure to exert leadership."

With the help of the Knapp Commission's sensational headlines, Murphy won support from the liberals for police reform and rid the Department of most of the PBA bureaucracy and the seniority system that stood in the way of the LEAA's plan to create a "professional" police department.

Murphy's reforms created entire new units and a command structure whose only loyalty lay directly with the NSC through the CIA and its domestic arm, the LEAA.

During Murphy's tenure, 14 NYC Police officials received training from the CIA, including his old sidekick, now Deputy Commissioner, W. T. Smith. Murphy reorganized all investigative and intelligence functions directly under the control of Smith and Deputy chief of Intelligence, Hugo J. Massini, another CIA trainee. Smith claimed that this CIA training was absolutely necessary — the CIA was after all the only intelligence agency that had the capability to train police in handling such vast amounts of intelligence. The product of this training is the one and a half million files illegally compiled and kept by the New York State Police and the NYC Police Intelligence Division

In conjunction with the NYC RAND Corporation's creation of local control Neighborhood governments along the lines of Vietnam's strategic hamlet pacification schemes, Murphy created the community control Neighborhood Police Teams. These were headed by Sgt. David Durk, one of the key personnel who triggered the Knapp corruption scandals, and now the Chief of Security at the United Nations

To deal with the alleged escalating problem of brutality and sadism within the police ranks, which was publicized in the press to demoralize the force, Murphy set up the Psychological Services Division run by Dr. Harvey Schlosbert, a graduate of Albert Einstein Medical Center, to profile police recruits for potential psychological problems. Under this guise, the Psychological Services Division introduced brainwashing programs into the police ranks, using the created racial problems among the black and white members as a take off point.

When his role was completed in 1973, Murphy left New York to become director of the Ford Foundation-supported Police Foundation.

#### **IV THE SPECIAL PROSECUTOR'S OFFICE**

The most important recommendation to emerge from the Knapp Commission Final Report in August 1972 was the call for the creation of a special prosecutor's office.

Rockefeller, who had closely monitored the work of the Commission, quickly picked up on its well publicized "recommendation." He announced that the Knapp Commission files would be turned over to the new "Super Prosecutor."

The proposal was vociferously opposed by all of the city's elected DAs, the PBA and most city officials. All had had their fill of the Knapp Commission's illegal methods of surveillance, coercion of witnesses and its splashy show trials. Its opponents knew that the new office would mean more of the same — an unlimited chance for political witchhunts of Rockefeller opponents.

Manhattan DA Frank Hogan threatened to bring a lawsuit against Rockefeller, charging that the broad powers vested in the new office represented a clear encroachment on the constitutionally-defined powers of the elected DAs. Not coincidentally, the first vocal supporter of the Special Prosecutor's office within the entire city government was Rockefeller's CIA police chief Patrick Murphy.

Rockefeller, through his media conduits, turned the efforts of these public officials to defend the constitution to his advantage, as the papers ran banner headlines that charged coverup, the opposition quickly collapsed.

With appropriate press fanfare, Rockefeller created the office through executive order on Sept. 19, 1972.

The man chosen by Rockefeller for the new post was one of his loyal gestapo thugs, the go-getter chief counsel of the Scott Commission, Maurice Nadjari.

On Sept. 20, the day after Nadjari was formally posted by Attorney General Louis Lefkowitz, Nelson Rockefeller stated: "I regard my decision to supersede the NYC District Attorneys on handling corruption among the police, prosecutors and judges with the appointment of Maurice Nadjari as Special Prosecutor on Sept. 19 as the single most important act of my 14 years as governor."

#### **Who is Maurice Nadjari?**

It is no accident that the choice for Special Prosecutor was Maurice Nadjari, handpicked by Rockefeller: Nadjari is simply an outgrowth of the calculated political aims of Nelson Rockefeller. Until 1968, Nadjari was one of a number of Assistant DAs in the office of Frank Hogan, Manhattan's District Attorney for 30 years. He was then moved from that position, "out into the sticks," in the office of Suffolk County DA Aspland. It soon became obvious why he was transferred. Nadjari quickly earned a reputation as a tough guy no-nonsense prosecutor who was obsessed with "corrupt politicians." In four years, Nadjari won indictments against 19 Republican Party officials in the Suffolk-Nassau area on the basis of alleged illegal real estate deals and the selling of zoning agreements. Most of these were conservatives who represented potential or actual opponents of Rockefeller. One of the targets was A. T. Roth, then a member of the Nassau-Suffolk Regional Planning Board and coincidentally Chairman of the Franklin National Bank. In 1975, Franklin National was one of as a direct result of Rockefeller's banks' international financial policies.

Most of these leaders were affiliated with then Speaker of the State Assembly Perry Duryea, Jr. of Montauk, Rockefeller's most powerful opponent within the Republican Party. It was Duryea who was thought to be Rockefeller's successor as Republican candidate for Governor if for one reason or another the 65 year old Rockefeller decided to step down. It is likely that Duryea would have moved to clean out the nest of Rockefeller agents that had been implanted in the Party and would move to dismantle the state gestapo.

In 1973, with Duryea set to declare for the governorship, he was tagged by Attorney General Lefkowitz with an indictment for vote fraud in the 1972 election. Some people speculated that Nadjari, then the Special Prosecutor, was behind the indictment. Though he was eventually acquitted of these ridiculous charges in 1974, the Republican Party machine in Suffolk had been so smeared by the Nadjari operation that Duryea was unable to defend himself against a new barrage of

press corruption attacks. Under pressure from Rockefeller agents — including Lefkowitz — he withdrew from the governorship race and thereby turned the nomination over to Rockefeller's hand-picked successor, the then Gov. Malcolm Wilson. (Rockefeller had resigned from the governorship to head his Commission on Critical Choices in Dec. 1973 — after the successful attack had been launched on Duryea).

In 1972, Nadjari was chosen by Rockefeller to serve as general counsel for the Scott Commission, the Temporary New York State Commission to Investigate Government Operations of New York City. Along with the State Investigation Commission headed by former U.S. Attorney Paul Curran, the Scott Commission's endorsement of the Special Prosecutor's Office provided strong political leverage to push through the Legislature's first \$200,000 grant in emergency state funds.

As with the Knapp Commission, the driving force behind the Special Prosecutor's Office was the Law Enforcement Assistance Administration, which guaranteed Governor Rockefeller an initial allocation of \$2 million before the office was ever even approved.

#### **Nadjari's Role**

Nadjari was not chosen by Rockefeller for his dedication and expertise in using the law. Legal means would not have been able to accomplish the work Nadjari immediately set out to do in his new post to destroy the existing political machines in the city of New York by any means possible. Nadjari's three years as Special Prosecutor have utilized all the underhanded corrupt and illegal practices his office was supposedly created to end. His methods have paralleled the Nazi prosecutors' under Hitler who initially utilized semi-legal show trials which tried people in the press, to break unions, remove political leaders. Evidence was coerced and manufactured.

Nadjari's admitted Nazi-like fanaticism (expressed in his statement that "next to a sexual orgasm, my greatest thrill is hearing the foreman of a jury say the words 'Guilty as charged' ") further explains his malleability to Rockefeller's aims.

The recent allegations made by Patrick Cunningham, Bronx Democratic Party district leader and the latest target of Rockefeller's character assassination campaigns, that Nadjari offered him a deal provided he would furnish information leading the indictment of Governor Carey, fully coheres with Nadjari's modus operandi. For the past three years, the policy of the Special Prosecutor's office has been to coerce, make deals as long as there is the possibility for going after targets higher up.

Nadjari's most widely publicized cases involved

breaking up the links between organized crime and the courts, where judges allegedly passed out deliberately lenient sentences to over 200 narcotics offenders.

In one of these cases, against State Supreme Court Judge Dominic Rinaldi, a key witness against Rinaldi to the Grand Jury revealed he had been offered official police records by one of Nadjari's investigators that would clear a Mafia-connected associate of his in return for the testimony. Nadjari later claimed that his testimony had nothing to do with the indictment handed down against Rinaldi.

When William Steinman, an aide to the Democratic State Comptroller Arthur Levitt, was indicted for trying to fix a gun case for a friend, he revealed that he was offered a deal by Nadjari's office on condition he would do undercover work to "get" a list of Brooklyn Democrats including Brooklyn Democratic Party leader Meade Esposito, then-Congressman Frank Brasco, two unnamed Brooklyn assistant DAs, and two unnamed Brooklyn judges.

When Frank Guidace was indicted for allegedly buying his position as law secretary, he was let off for providing perjury evidence on Brooklyn Greenpoint Democratic District Leader Frank Creta.

The most notorious case, which was recently thrown out of court, was against Customs Court Judge Paul Rao, Sr. for perjury. The crime that Rao had allegedly agreed to fix was never really committed — it was carried out by a Nadjari undercover agent, the witnesses to the Grand Jury were Nadjari undercover agents, and the woman who was sent to compromise Judge Rao was an undercover agent.

Governor Carey's own statements reflect a full understanding of the extra-legal terror wielded by the Special Prosecutor's office. In a recent interview with Long Island Newsday, Carey stated that he had been concerned about Nadjari's investigating methods ever since his close friend, Queens Supreme Court Justice James Roe, Jr. was indicted in 1968 for allegedly offering a \$10 bribe to two policemen who stopped him for speeding. Later, Roe was killed in a plane crash when his private airplane attempted to land at Flushing Airport.

"Do you know the Roe case?" Carey asked Newsday. "Do you know how Mr. Nadjari handled that case? Do you know why Judge Roe felt he had to take a plane from Shelter Island to Queens the day he was killed? He was afraid Nadjari would have him tailed and try to pick him up on some traffic infraction."

**to be continued**