

EXCERPTS FROM THE TESTIMONY BY SERPICO

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Following are excerpts from testimony yesterday before the Knapp Commission as it resumed public hearings arising from its inquiry into police corruption here. The commission heard nine days of testimony in October.

The witness was Detective Frank Serpico. He testified that he joined the Police Department on Sept. 11, 1959, and had been assigned to the 81st Precinct in Brooklyn, the Bureau of Criminal Identification, the 90th Precinct in Brooklyn for plainclothes duty, the Seventh Division in the Bronx, Patrol Borough Manhattan North and the Narcotics Division in Brooklyn.

Unless otherwise indicated the questions were asked by Michael F. Armstrong, chief counsel to the commission.

Q. I'd like to direct your attention to April or May of 1967, and specifically to your acquaintance with Detective Durk. Had you had any conversations with Durk about his relationship with any people in the Mayor's office?

A. Yes.

Q. Specifically who?

A. Well, he had discussed with me the possibilities of arranging a Meeting with the Mayor. Later he stated that he was going to arrange a meeting with the Mayor's aide, Jay Kriegel. And that we could go and tell him all the facts that I had observed.

Q. Was a meeting in fact arranged?

A. Yes.

Q. And who was present at the meeting?

A. Myself, Detective Durk and Jay Kriegel.

Q. In other words, you told him all of the incidents that you have testified to here today, plus any other incidents that may have occurred to you then and do not occur to you now? You gave him the full experience that you had had to date in plainclothes insofar as it related to corruption?

A. Yes.

Q. And did you discuss it in terms of names and places and specifications?

A. Whenever I was aware of them, yes.

Q. And what was Mr. Kriegel's reaction to the events that you told him about?

A. Well, he was quite shocked. He was more surprised that—he stated that he had heard rumors to this effect, but he had never heard it from a policeman before.

Kriegel's Reply

Q. And what did Mr. Kriegel say that would be done about what you were telling him?

A. Well, I had informed him of the part I supposedly was playing for the Police Department, and he said that he would check to see if, in fact, an investigation was on the way or not.

Q. And what you were supposed to be doing about this matter?

A. Yes. And I told him that to date I had not been contacted.

CHAIRMAN WHITMAN KNAPP: In other words, Inspector Behan had said that you would have a meeting with first the deputy, but that never transpired; is that right?

A. That is correct.

Q. Did Mr. Kriegel say anything to you about taking care that the investigation not be—that if there were an investigation going on, that it not be hurt?

A. Yes.

Q. What did he say about that, in what context?

A. He said that is why he would have to check to see if in fact an investigation was or wasn't being conducted, because if it was, his investigation might blow the other investigation.

Q. And what did he say he would do?

A. He said he would discuss it with the Mayor and ascertain what was happening and what was to be done.

Q. Do you recall having a conversation with Detective Durk about this time relative to meeting with someone else in order to enlist his aid in combating the corruption that you saw?

A. There came a time when Detective Durk stated that he would arrange or was in the process of arranging a meeting with the Commissioner of Investigations.

The Fraiman Aspect

Q. And who was the Commissioner of Investigation at that time?

A. Arnold Guy Freiman.

Q. And Detective Durk was working at the time in the squad attached to the Commissioner of Investigation?

A. That's correct.

Q. And did he in fact arrange a meeting?

A. Yes.

Q. What was the purpose of it as he stated it to you and as you discussed?

A. Well, he thought that we now had the opportunity to speak directly to the Commissioner of Investigations, and inform him of the facts about corruption.

Q. To what end?

A. That he might take appropriate action in resolving it.

Q. Who was present at the meeting?

A. Myself, Detective Durk and Commissioner Freiman.

Q. To the best of your recollection, what was said in the meeting?

A. Well, at the meeting I again informed the Commissioner of all the facts that had related to the other people, and if in fact any additional incidents that had occurred to that time, I related them to him.

Q. Did you give names and places and amounts to the best of your recollection?

A. Yes, I did.

Q. What was Commissioner Fraiman's reaction to this information?

A. Well, after hearing all that I said, he said, "Well, what do you want me to do about it?" At which time I stated I was only a patrolman and I was merely apprising him of the facts, and that he was the Commissioner and should have more knowledge as to what to do than myself.

Q. Was any suggestion made that you carry an electronic device yourself in investigating the corruption?

A. Yes.

About the Wire

Q. And what was your reaction to the suggestion that you carry a wire?

A. I stated that if I personally wore a wire the only thing that—the only information I could get was from patrolmen on a patrolmen level, and I was not interested in just locking up patrolmen; that I wanted to take it on a much higher level where the problem lied.

Q. What was Commissioner Fraiman's reaction to the suggestion that a bug be placed in the surveillance truck, to the best of your recollection?

A. When I left there that day I was under the impression that a bug was in fact to be placed in the surveillance truck.

Q. Did you express any views about the way you felt the investigation should be handled?

A. Yes.

Q. What were those views?

A. Well, my views were they should be conducted on a high level, and I felt that the Commissioner was in a better position than myself to offer suggestions as to how it was to be resolved.

Q. To your knowledge, was any investigation carried out by the Department of Investigation of the facts that you brought to them?

A. To my knowledge, no.

CHAIRMAN KNAPP: You mean not as far as you know?

A. That's correct.

Q. Did you tell Commissioner Fraiman that you had been to see Mr. Kriegel?

A. No. Detective Durk suggested that we not tell him of the meeting with Kriegel.

COMMISSIONER JOHN E. SPRIZZO: Was there any reason for that, why you were not going to tell Fraiman about the meeting with Kriegel?

A. Well, Durk at this time had informed me that Kriegel was not going to pursue the investigation, and I guess he didn't want Kriegel to know that he had gone elsewhere.

Q. I have no further questions. If you have anything that you'd like to say that you think haven't been covered—

A. Yes. I have a statement that I prepared and would like to read.

Serpico's Statement

CHAIRMAN KNAPP: Please go ahead.

A. Through my appearances here today I hope that police officers in the future will not experience the same frustration and anxiety that I was subjected to for the past five years at the hands of my superiors because of my attempt to report corruption.

I was made to feel that I had burdened them with an unwanted task. The problem is that the atmosphere does not yet exist in which an honest police officer can act without fear of ridicule or reprisal from fellow officers.

We must create an atmosphere in which the dishonest officer fears the honest one and not the other way around. I hope that this investigation and any future ones will deal with corruption at all levels within the department and not limit themselves to cases involving individual patrolmen.

Police corruption cannot exist unless it is at least tolerated at higher levels in the department. Therefore, the most important result that can come from these hearings is a conviction by police officers, even more than the public, that the department will change.

I also believe that it is most important for superior officers in the Police Department to develop an attitude of respect for the average patrolman. Every patrolman is an officer and should be treated as such by his superiors.

Importance of Attitude

A policeman's attitude about himself reflects in large measure the attitude of his superiors toward him. If they feel his job is important and has stature, so will he.

It is just as important for policemen to change their attitudes toward the public. A policeman's first obligation is to be responsible to the needs of the community he serves.

The department must realize that an effective continuing relationship between the police and the public is more important than an impressive arrest record.

The system of rewards within the Police Department should be based on a policeman's over-all performance with the public rather than on his ability to meet arrest quotas. Merely uncovering widespread patterns of corruption will not resolve the problem.

Basic changes in attitude and approach are vital. In order to insure this, an independent permanent public investigative body dealing with police corruption, like this commission, is essential.

Source:

<https://www.nytimes.com/1971/12/15/archives/excerpts-from-the-testimony-by-serpico.html>