

Rockwell, Inspector James S. Mooney and Deputy Inspector Charles Doonan. There were also eight captains assigned to Patrol Borough Manhattan South.

A. The 6th Precinct

1. Description

Bordered by the ^{Hudson} ~~East~~ River and 14th Street, this precinct runs from ^{West} ~~East~~ ___ Street to ^{West} ~~East~~ 14th Street. The after-hours clubs which appeared to be the most notorious were in the 6th precinct patrol sector known as Sector Ida, bounded by the Hudson River on the West, Hudson Street on the East, West 14th Street on the North and West 11th Street on the South. The area is primarily commercial, occupied by the Gansevoort Meat Market during the daylight hours. In the evening it becomes the haven for the homosexual masses who frequent the village scene.

2. COMMISSION INVESTIGATION

a) The Legitimate Bars

Initially, Commission investigators sought out information relating to payoffs to the police by legitimate bar owners. The results were conclusive and revealed a pattern similar to that established in the 19th Precinct. For instance, on December__, 1970, Commission investigators, armed with information that Stanley Tolken, owner of the Dom, located at 23 St. Mark's Place, was making payments to the Sixth Precinct, visited The Dom. Although Tolkin was not there, the agents, without identifying themselves, spoke to the manager. The latter, obviously assuming that the investigators were detectives, also immediately handed the investigators an envelope "for Christmas." Undaunted, the investigators said that they did not then want the envelope but wanted to see Tolken. After a couple of delays, the investigators met Tolkin on the early morning of December 31, 1970, and the following conversation ensued:

Tolkin: "What's this all about?"

Investigator: "What happened to Captain Gabos this month?" [Gabos was commander of the 19th Precinct]

Tolkin: "What happened to Captain Gabos?"

* * *

Investigator: "He didn't get any."

Tolkin: "Sure he did."

Investigator: "He did not. Who did you give it to?"

Tolkin: "Captain Gabos."

* * *

Investigator: "What about Captain Fink?"

Tolkin: "What about Captain Fink? He's no longer here."

* * *

Investigator: "Are you trying to tell me that Captain Fink wasn't taken care of."

* * *

Tolkin: "He was running this precinct. We would have went out of business..."

* * *

Investigator: "Well do you think that if the question was asked of you under oath--this particular question, "Have you ever given any money to a policeman" do you think you can answer that no?"

Tolkin: "Of course not"

Investigator: "Did the new captain [Gabos] pick up the same routine?"

Tolkin: "Oh, of course they all, eh..."

Another owner said that he was paying the police \$400 per month.

He explained that he ran a "gay" place and had to pay "just to avoid the harassment." (T.L. 17, 1970)

The Barn Club *(when was it open?)* *1*
... attracted customers, mostly men, the Barn had
two thousand people on weekends and did well over \$18,000 in weekly
business. According to investigations conducted by this Commission,
the clubs which cater mainly to homosexuals, and are operated by
Organized Crime, were wide open and at times scenes of violence,
including murder,* castration and whippings by masochists. Yet, despite
the Police Department's obvious knowledge of this involvement,** no
remedial action was taken by the Police Department prior to investigative
action by the Commission.

(1) The Barn

This club, perhaps the largest in the area, occupied the entire
third floor loft of the premises bounded by Hudson Street, Ninth Avenue
and West 13th Street. The Barn had two entrances located at 675 Hudson
Street and an elevator entrance at 34 Ninth Avenue. In April 1970, Carl
Watts and George Marcy signed a lease for one half of the third floor
with a David Ellis, the landlord of the premises. The rental was to be
\$4,500 per year. In the first months of operation, The Barn did such
a large business that they were forced to rent the other half of the
third floor which they did in June 1970 for an additional rental of
\$3,600 per year.

* On January 19, 1971, a George Kelly was shot to death outside of
the "2" Club, located at 413 West 13th Street. Allegedly, _____
was murdered _____. The ~~xxx~~ police report ~~xx~~ states:

Were it not for the fact that _____ was the nephew of Lt. _____
of the _____ Pct. _____

** See memo

Almost immediately after Moss took over The Triangle, The Barn was opened. Anybody connected with any of these places denies knowledge of Al Moss, but his presence has been witnessed by Commission investigators and persons working and frequenting the area. Moss, according to informed sources, is the shylock in the meat district and can be found any Friday afternoon sitting in the back of The Triangle collecting his debts.*

The Barn was not exactly cloaked in secrecy as would be expected from an illegal operation. On numerous occasions, our investigators observed lines of patrons waiting to get into the elevator to The Barn while a patrol car from the Sixth Precinct waited in front of the elevator door for a free meal from the Triangle. On one occasion the manager of The Barn was observed seated in the back seat of the patrol car talking to

* Allegedly, Moss paid a sergeant graft every Friday afternoon at The Triangle. EXXXW Sgt. Wieboldt of the Sixth Precinct admitted that he met Moss in 1970 at the Triangle "a dozen times." He did so even after his transfer from the precinct in March 1970.

two patrolmen while the music from the Barn could be heard a block away.

On December 4, 1970 Commission investigators, after gaining entrance, observed about 300 males, including several who appeared to be no more than 14 or 15 years old, milling around, dancing with each other and kissing each other. In "69 Room -- Games People Play," completely dark except for a small light, which was saturated with people, the investigators witnessed sundry males kneeling on the floor performing fellatio on males who were standing. On bricks, set against the walls, other males were standing, some completely naked, others naked from the waist down. Groups of excited homosexuals were performing fellatio on these individuals while others were kissing them. Others were waiting in line, apparently to perform the same services.

The following day, December 5, 1970, a female bar owner telephoned, who preferred to remain anonymous, and said that the after-hours bars in the Village were paying the police from \$1,000 to \$1,500 per month to keep their establishments open. She said that she was paying \$800 per month.

On January 30, 1971 RMP 2511 was observed at 9:35 p.m. to stop and occupants speak with owner of Triangle and accept two free dinners. Same time several people were observed

... car--with two different patrolmen and Triangle manager--was observed outside Triangle. Right next to car could be seen about 10 people waiting to get on elevator to Barn. During the time the RMP 2511 was at this location, as many as 50 - 75 persons entered this elevator. Around 4:00 a.m. significant numbers of people could be seen entering after-hours bars at 491 West Street, 837 Washington Street and 26 Ninth Avenue.

This illegal operation has also been reported to the police department by uniformed sergeants, private citizens,* even the State Liquor Authority and the New York State Commission on Crime. Indeed, it is pretty difficult to hide a couple of thousand people going and coming from an after-hours club. One supervisory officer speaking to our investigators in connection with the Great Plains Meat Packing Company affair was sent into the area in the early morning hours and had this to say: "I couldn't believe it, guys running in and out of every cellar and loft, hundreds of them, and after-hours clubs in every buildings."

The history of police activity at the Barn is revealing. On April 16, 1970 the lease for the first half of the Barn was signed. On April 19, 1970 one of the uniformed sergeants from the Sixth Precinct reported its operation. On June 6,

1970 the First Division raided the premises and made 8 arrests. On July 13, 1970 an anonymous bus driver informed the SLA that Al Moss operated the Triangle, which he alleged to be open "all hours of the morning." The SLA noted that the operation of the Triangle and the Barn, located above the Triangle, was similar to the MO of the Amelio Dellacrose group which operated "the joints" in the midtown area and on the East-

On all visits prior to that, plainclothesmen reported that the Barn was closed or that they were refused admittance. Complaints were also received from outside sources, including the State Liquor Authority and the State Crime Commission about the Barn. On June 18, 1970, the First Division, after reporting the Barn closed on five previous visits made another raid and arrested 8 persons.

On June 29, 1970 the lease was signed for the second half of the third floor loft occupied by the Barn, thus doubling its size. During the month of August 1970 the First Division could find no violations despite reports of operation by two uniform Sgts. of the Sixth Precinct. Finally on September 7, 1970 three arrests were made; yet, the division men could not find another violation for over another month. In November 1970 another raid resulted in two more arrests. Thereafter, the Division personnel were hard-pressed to find the Barn opened again until December 27, 1970. During this period our investigators had no difficulty in entering the Barn and purchasing liquor. On one evening when the Commission Investigators were in the Barn they estimated the crowd to be well over 700 people.

January 1971 saw another raid at the Barn with 2 arrests; yet our investigators found the same open conditions continuously thereafter. Although the First Division Plainclothes staff most times found it difficult to gain entrance to the Barn and other illegal clubs in the area, our investigators found no difficulty nor did the ^{Police Department} Manhattan South Investigating Unit when called upon to investigate the situation because of the flagrant violations of law and the failure of

the First Division to take positive corrective action. According to the Manhattan South Investigation Officers' Report:

"The officers while entering and leaving the premises were not asked for membership cards; nor was there any evidence of security either at the door nor inside the premises proper."

[NOTE: You might like to mention the meat incident as triggering the inv. by M510.]

According to information received by our investigators, the management of the Triangle/Barn, were paying the police department \$3,000 per month to allow the club to operate. The understanding was that no substantial action would be taken against the club but that the club would have to be raided occasionally to keep up a facade of police action against the club. Witness the seven raids in the 12 months operation. [This was over the club] According to a witness at one of the raids, the manager of the Triangle/Barn, who "takes care of the police," yelled at one of the plainclothesman taking part in the raid: "You dirty _____, after I just gave you \$2,000 and you go pull this shit. I have shoved so much money down your throat and you raid me the next day." The witness added that the plainclothesman looked embarrassed and said nothing.

When our investigators went looking for the individuals connected with the operation, they all left town.

The books of the Triangle were subpoenaed but never produced.

Information was suggested by at least 9 from
different sources that all the individuals connected with

U-1-A-7

DIC
NR

AD
APR 11

the Barn were given \$1,000 by Al Moss to get out of town.

Al Moss then left town and is believed to be in Florida. The attorney, John Horan, Esq., 60 South 42nd Street, * who is supposedly representing John Yaeger, ex-manager of the Barn, is alleged to have the records at this time; yet, despite ~~numerous~~ numerous requests for his presence at the Commission office, he never appeared.* The clients he represent, the fees for which are paid by Moss, have not appeared although subpoenaed. They left town.

The action taken by the police department, specifically the First Division Plainclothes staff, has been insignificant, to say the least. True, at the present time the Barn is closed, but the action was taken after all the records relating to police action at the Barn were subpoenaed and individuals connected with the operation of the Barn pursued and a number of policemen were publicly exposed by the Commission when its investigators caught them stealing meat a few blocks away. According to Commission informants, the Barn was closed at the direction of high officials of the police department until the "heat is off." The closing was made by the management and not forced through effective police action. The operators of the Barn will no doubt open again

* Procedures to compel his appearance by court action were unavailable. This information did not become available until shortly before the Commission expired.

Horan maintains only a telephone answering service at this address. Allegedly, he works out of his car.

How
Philly

after June 1971. In fact, a new club has been "in waiting" for several months. The ~~xxxx~~ club, located around the corner from the Barn, was refurbished at a cost of \$40,000. Our investigators witnessed equipment and beer being brought into this club by Al Moss and some of his people from the Triangle. There is no mention in police department files about this club.

The police action^{that}/has been taken against the Trianble Bar and Restaurant has been negligable. During the period June 1970 through February 1971 eight licensed premises inspections were performed at the Triangle on the average of once a month. These inspections were performed by ~~xxx~~ sergeants of the Sixth Precinct on seven occasions and on one occasion by a Detective from the 6th Sqd. No violations were observed at any time. According to our investigations, on any given occasion numerous summonses could have been issued because of the flagrant violations of law, including overcrowding, use of a service bar, no cabaret license (there was dancing when there was room), soliciting, serving to minors (some of the individuals observed in the bar by our investigators could not have been over 14 years of age), in addition

to a number of health code violations and fire safety regulations,
all the windows of the Triangle were painted, and it was not pos-

sible to even see the inside of the premises or the license,

which is required by law. See N.Y. Alcoholic Beverage Control Law 1066

(2) The Second Stop

Across the street from the Barn is an after-hours club which had been run under three different names, Peter

Pan's Magic Garbage Can, the "Z" Club and the Second Stop. The

Magic Garbage Can was originally owned by a hood by the name of

Joseph Scudiero, aka Joe Slater. The business conducted at the

MGC was mild compared to the Barn, but it too was operated openly.

With regard to the police activity, a comparable situation existed

with regard to the arrests and reports of illegal activity.

During the existence of the Magic Garbage Can, only one arrest

was made. The rest of the time the club was reported closed or

selling soft drinks. During the existence of the Z Club, one

arrest was made.

On January 19, 1971 George Kelly, 28, son of a retired NYC Policeman, was murdered in the Z Club. On

February 1, 1971 a patrolman from the 6th precinct

arrested the doorman at the Z club for carrying a concealed weapon.

There is no indication that this person was questioned re murder.

On June 16, 1971 Joseph Scudiero was arrested and charged with

The murder. The Z Club then changed hands and became known as the

Second Stop. The owner of the Second Stop, Joseph Bronte, said that he did not even get a chance to get his new venture off the ground because he was raided almost immediately. It is strange that all of a sudden the Second Stop became a notorious after-hours club serving alcoholic beverages and prior to Bronte's acquisition the plainclothesmen had difficulty finding it open or selling alcoholic beverages. According to all sources the only thing that had changed at the club was the management. It had always served liquor and was open the same days. The owner of the club claimed that the management of the Barn who had a hold on the plainclothesmen had instructed them to raid the place to cut out competition. The owner claims that he could not even talk to the cops because of their instructions from Al Moss, the operator of the Triangle/Barn. (Felix Murphy)

(3) The Exile, 491 West Street, New York, N.Y.

This club is located in a Warehouse building at 491 West Street, over the garages of the A & M Fuel Company. It occupies the second and third story of the three story building. The original rental agreement was made on August 21, 1970 with Lon Warring who previously ran the El Barrio and Hades which were located at 507 West Street in the

Jane West Hotel. Warring agreed to pay \$600 per month rental for the two floors. When the Exile first opened, it was known at the "Department Store," and run by Warring until he had a dispute with some of the other individuals involved in the operation of this and other connected clubs and was run out of the "organization." The lease was then taken over by one Irving Fields. The last operator of the club has been an individual known as Jerry the Butcher, Jerry Schubert. Commission attempts to locate these individuals were unsuccessful. The Exile was first reported by the uniformed patrol force on September 18, 1971 and four additional times before the First Division made an arrest on November 22, 1970. The following week the Patrol Borough Manhattan South plainclothes staff made another arrest. Another arrest was not made until February 28, 1971, when the First Division made their second arrest in five months.

According to Commission investigators, there was no cessation in the operation of the Exile until March of 1971, when pressure was put on the Police Department to close the various clubs in the village. With regard to security, our investigators found no difficulty

in entering the Exile. Hades and El Barrio, both located at 507 West Street in the Jane West Hotel, were to a great extent operated by the same people. Hades was first opened in the basement of the hotel sometime in May 1969 and continued in that location until May 1970, when the club moved to larger quarters on the main floor of the hotel. From May 1969 to May 1970, the rent \$250 per month was paid by Lon Warring. A lease was signed for the main floor area in April 1970 by Ken Marcus and the club became active when Hades closed down in May 1970. The owner/manager of the hotel claims he only saw Marcus on one occasion when the lease was signed. Once again, the club closed down when the club at 491 West Street (Exile) opened. As previously explained, the first lease on the Exile, formerly The Department Store, was signed by Lon Warring.

(4) Zodiac

The Zodiac is located at 835 Washington Street on the second floor above the Butchers Den, a licensed premises of questionable ownership. The lease on the building at 835 Washington Street was originally held by Al Moss who also owned the Butchers Den until he allegedly sold it to a

Mrs. Rose Appel in 1966. To date, Moss still holds a

note on the Den and there is no indication that Moss has ever *relinquished control over the operation. In 1968 Al B...*

manager of the Standard, Brooklyn was transferred into

a roof top orgy room. Our investigators have witnessed numerous individuals on the second story roof in the early morning light, making noise that could be heard a block and a half away, while beer cans lined the edge of the roof. Yet, police files do not contain any suspected premises reports.

A number of people interviewed, including employees of after-hours bars commented on the number of uniformed policemen drinking in the Zodiac, and the number of policemen in civilian clothes who frequented the club. One patrolman, in civilian clothes and off-duty, lost his shield in the sex room at the Zodiac and a frantic search turned up the shield on the floor. With regard to the arrests at the Zodiac, all sources agreed that they were amicable. On one occasion, a Commission informant was in the premises when a raid took place. The plainclothesmen came to the door and told the doorman that there would be a raid that evening and that they needed two people. They then went up to the club and stood at the bar drinking until they were ready to leave. When they finished their drinks, they said O.K., let's go and walked out with one of the bartenders and the doorman along with two, half-filled bottles of alcohol.

A former employee "arrested" on more than

operate the Den and later Joseph Bronte, previously mentioned as operating the after-hours club known as the Second Stop.

It is interesting to note that until the SLA served notice on the Triangle Bar and Grill, Moss was an officer of the Stardust Manor. When it became evident that Moss could be tied into the illegal operation of a number of unlicensed clubs and the illegal operation of the Triangle, Moss removed himself as an officer of the Stardust Manor for fear that it would jeopardize that license. According to official information, the Zodiac, previously known as the Hayloft may have been in operation as early as 1968.

Police action at the Zodiac was largely non-existent. During the entire year of 1970 there were six raids by the plainclothes staff of the First Division. Eighteen people were arrested but none of the cases resulted in fines. One of the persons arrested three times at the Zodiac had this to say:

QUOTE LENNY (This will follow)

In addition to after-hours drinking, the Zodiac offered such special attractions as beatings, i.e., one male homosexual, naked and his wrists tied to the ceiling, being whipped by a group of sadists, another male spread eagle on a pool table being beaten with cue sticks; a sex room and

166181971
* April 17, 1971

one occasion said all the "raids" followed the same pattern. The plainclothesman, known to the employees, were let in where they would announce a raid, take the receipts on hand, a little booze, and a few employees. The following morning they would go to court, where everything was prearranged, plead guilty to disorderly conduct, and leave. On only one occasion, to this informants knowledge were the confiscated receipts returned. On one occasion, prior to NBC filming of the after-hours clubs for their documentary, a Commission informant revealed to investigators of the Knapp Commission that a raid would be pulled at the Zodiac for the benefit of the television cameras. This information was supplied 12 hours before the raid took place, complete with uniformed officers, red lights and sirens.

D.A.K.

Only one UF 45 was submitted by a uniformed Sgt during 1970. In February 1971, five UF 45's were submitted by the uniformed force, yet the plainclothes staff saw fit to pay only 1 visit to the Zodiac on February 27, 1970. On that date, according to the UF 128 on file, the Division plainclothes staff found the Zodiac closed at 1 a.m. The same morning at 3:30 a uniformed Sgt reported the premises in operation.

1 - 100 - 100

01

Our investigators found large crowds
frequenting the Zodiac between December¹⁹⁷¹ and March 1971.

On January 24, 1971 no less than 6 different RMP's passed
by the Zodiac between 3 a.m. and 5 a.m. During this entire
period, large numbers of patrons were entering and leaving
the Zodiac, yet not one suspected premises report was submitted
on the bar.

Review of over seven hundred-and-fifty
observations on after-hours clubs in the village by 24 plains-
clothesmen of the First Division for the period June 1, 1970
to the early part of January, 1971 only six entries related
to the Zodiac. Although subpoenaed by the Commission, the
Division produced no UF 128's relating to the Zodiac. Dur-
ing a conversation with the Deputy Chief Inspector in charge
of the Division and the Deputy Inspector in Charge of Public
Morals produced the explanation that the UF 128's relating
to the Zodiac were in the desk of the DI Public Morals because
he was actively investigating the Zodiac and did not want to
blow the case. He agreed to send copies. The copies re-
ceived consisted of cases involving 2 communications and ap-
proximately 7 observations, six of which resulted in admit-
tance refused and the final one, an arrest.

/ CONTRAST COMMISSION'S EXPERIENCE

(5) Scotland Yard - 146-148 West 4th Street

The above establishment, for the past several years, has been and is to this date a well-known after-hours bar catering to both homosexual and heterosexual individuals. A review of ¹⁰⁰⁻²⁰⁰⁰⁰⁰⁻¹ P.D. records for the period January 1, 1970 through March 30, 1971 discloses that token arrests for the sale of unlicensed alcohol occurred on two occasions, specifically on January 17, 1970 when three insignificant employees were apprehended and later issued summons at the 6th Pct. Station House; and again on February 22, 1971, or 13 months later, when the next police raid was held, netting ^{the arrest of} three additional insignificant employees. As with the January 1970 arrests, those apprehended in February 1971 were likewise taken to the 6th Pct. Station house and released after being issued summons.

Of particular note regarding The Scotland Yard is the fact that throughout the year 1970 and the first 3 months of 1971, 1st Division Plainclothesmen were assigned the task of making observations of the establishment and effecting arrests whenever warranted. With the exception of the two dates on which arrests were made, the 1st Division Plainclothesmen apparently failed to observe any violations of the State Liquor laws.

However, complaints regarding the Scotland Yard and its violations of the law, were continuously being

received in several areas of the D.D.-

to such an extent as to prompt Assistant Chief Inspector Henry M. Pigott, Jr., of the Manhattan South Patrol Borough, on August 30, 1970, to order the commanding officer of the First Division via M.S. communication #2423 to initiate an immediate investigation of the Scotland Yard and after taking appropriate action, to prepare a written reply directed to his office.

Upon receipt of the above communication in the First Division, the matter was investigated by Deputy Inspector Robert J. McGowan, Chief of the First Division Public Morals Section and his staff, under the supervision of Deputy Chief Inspector Valentine Pfaffmann, Jr., Commanding office^{er}/of the First Division. After 88 days of investigation, a report was sent to the commanding officer of PBMS, over the signature of Charles E. McCarthy, DCI in charge of the First Division, stating that during the course of the investigation no violations of law were observed at the Scotland Yard.

However, during the same period of time (August 31 through November 16, 1970) when policemen from the First Division failed to see any wrong-doings at the Scotland Yard, Policemen from the 6th Precinct, on several occasions, observed and documented their observations of

young adults staggering from the Scotland Yard, obviously under the influence of alcohol or narcotics or both. There

observations can be seen on UF 47's prepared by the following persons on dates shown below:

September 16, 1970 - reported by Sgt. Cea
October 3, 1970 - reported by Sgt. Delaney
October 26, 1970 - reported by Ptl. Naimoli
November 15, 1970 - reported by Sgt. Cea.

(6) C. & B Club - AKA Comeback, 185 W. 10th St.

This somewhat smaller, ornately decorated after-hours bar, located at 185 West 10th Street, caters to the male homosexual population, and is located about 1 1/2 short blocks from the 6th Precinct Station House. It was in operation throughout 1970 and continues to do so.

Police records show that from March 1970 through February 1971, six raids were made, resulting in an average of three persons arrested each time. These arrests can be considered token since they involved only insignificant employees averaging 19-20 years of age, and accomplished nothing towards the closing of the illegal operation.

The manager of the Comeback, suspected to be the operation of "Matty the Horse" Ianniello, is Hurbert Schieds, who was formerly associated with Ianniello in the operation of the Haven and the Snakepit.

Christopher's End

Christopher's End, located at 180 Christopher Street, is one of the better known Village after-hour bars which caters to homosexuals. It is recommended in "GAY" as: "you never ~~xxx~~ know what to expect at the door these days or in the back room. For male homosexuals." Curiously, during the years 1970-1971, this bar was subject to more police raids than any other in the Village area. It also bears the distinction of being the only such bar where the police physically smashed its interior with axes and hammers.

A reliable informant reported the reasons for such police activity. He said that the owner, Michael Umbers, was run independently of the Mob* with the result that Umbers was unable to reach the right person at the First Division to ^(pay) ~~pay~~ off for protection. He added that the operators of The Barn, i.e., Al Moss, possibly suggested to the police their desire to put Christopher's End out of business and thereby pick up its customers.

* It should be noted that there is a definite feeling that this bar is being operated by the Gallo Family. If this is true, the attempted murder of Joseph Colombo, patriarch of the Colombo Family, by _____

A manager at Christopher's End freely admitted that he routinely paid \$50 per plainclothesman to insure that: (1) as few employees as possible would be arrested; (2) the police would not harass or intimidate any of the customers; and (3) the police would not seize all the beer and liquor in the bar/ which was confiscated at the door. These payoffs did not include the cash--for which no receipt was ever made. He said also that no money would pass if a superior officer was present and never paid any police officer from either the Borough or the First Deputy Commissioner's Office.

The same manager said that Christopher's Inn was normally tipped off in advance about police raids by people from The Triangle. These people were warned by a sergeant assigned to the Sixth Precinct who received his information from the First Division. The manager stated that The Barn, before it was shut down at the urging of the Police because Commission investigators were seen in the area, paid the police \$2,000 per month. The payments were made by Al Moss's ~~new~~ nephew, who was nicknamed "Red."

The quality of enforcement was illustrated by this manager with the following. On one occasion, he was informed by plainclothesmen of Borough, Manhattan South, during a daytime visit to Christopher's End, that they had received order to effect arrests at the premises. The police asked the manager to turn in a couple of his employees then

TESTIMONY
2
24-1

and there because they didn't want to work that night. He refused and they left. They did not return that evening.

11

BEER DELIVERIES

To ascertain the volume of business conducted by these clubs subpoenas were served on beer companies for the production of their records of deliveries to the Triangle (Barn), Butcher's Den (Zodiac), Tool Box and the International, aka The Stud.

Triangle (Barn) - Contact: Yaeger or Moss

<u>Year</u>	<u>Cases of Beer</u>
1969	47
1970	111 - Jan/July 3,100 - Aug/December
1971	2,300 - Jan. 1,000 - Feb. 1,550 - March 700 - April

Butcher's Den - Contact: Jerry

1969	700
1970	6,725
1971	0 - Jan. 100 - Feb. 600 - March 100 - April

Tool Box

1969	2,945
1970	1,375
1971	300*

International Bar - Contact: John and Veta

1970	6,800
1971	3,350 (Jan. to April)

Allegedly, Al Moss funnels beer through the Triangle Bar and sells some to the other illegal bars in the Village.

* The decrease was occasioned by the refusal of the beer company to extend any more credit to the Tool Box because of an outstanding balance of \$1,400.

Interestingly, on April 23, 1971 a beer truck was observed by Commission investigators making a delivery at the Triangle, Twenty-three hand-truck loads, over 5,000 cans of beer were delivered to the Triangle, whose legitimate clientele is fairly negligible, through its northerly most door on its Hudson Street side. At the same time Commission investigators observed a male leave the Triangle Bar, through its other door on Hudson Street, with a handtruck loaded with nine cases of Seagrem's Whiskey and three boxes labeled "Meat Products."

Aniello "Tony" Delacroce, identified by federal authorities as being an underboss in the Carlo Gambino family, and Matthew "Matty-the-Horse" Iannello, were frequently mentioned as having "some of the action" in the after-hours bars. Federal agents have confirmed that Anthony Rabitoard, Tommy Dowley, a/k/a Tommy⁵⁰, are the primary frontmen for Delacroce and Phil Rastelli and specifically that Rabito fronts for the mob in the operation of the "2" Club and the "Magic Garbage Can," both after-hours bars located in a warehouse at 400 West 14th Street. Reliable sources have reported that Iannello, who at one time had an interest in a bar on West 48th Street which served as a payoff center for police during 19__ - 19__, operates through frontmen the "Stonewall," located at _____. Nick^{Di} Martino, a frontman for Iannello, in addition to being involved with the "Stonewall" and "Tenth of Always", currently manages the "Haven" at One Sheridan Square.

It is interesting to note that the "Haven" under a prior ownership was called the "Salvation." The owner of the "Salvation" was Robert Wood, who in early 1970 was the victim of a gangland slaying. Prior to his murder, Woods sent a letter to the U.S. Attorney in Manhattan stating in effect

that he expected to meet a violent death because he was

secretary of the Mayor to take over the "Salvation"
the Mayor to take over the "Salvation"

4.7 once a year. Feb 69 - Feb 70.

In this letter, he outlined how he met, immediately liked and had hired John Riccobono at \$300 a week; how Riccobono, son and nephew of consigliere in the Gambino Family, eventually demanded -- during a visit with the two elder Riccabonos and four other Mafioso-- a salary for doing no work, and \$400 a week for protection; and how eventually he lost \$250,000 because of the intrusion of these mobsters.*

Shortly after the death of Woods, the "Salvation" was taken over by Iannello, who changed its name to "Trick and Treat" and then to "The Haven". Sharing the managerial position with Dick Martino after the takeover were James Niergio and Herbert Scheid. Both formerly fronted in the operation of the now defunct "Snakepit", 211-15 West 10th Street. Scheid is also known to have been the frontman at the "C & B" (Comeback), 185 West 10th Street.

* In a NEW YORK TIMES article about Woods by Charles Grutzner, a highly recognized crime newsreporter, a police official was quoted as saying:

"Several of the Mafia 'families' are in the act and they're spreading their infiltration so fast and so far that sometimes they don't even know whose joint is whose."*

Apparently, this police official has never told the Sixth Precinct about the high quality of arrests that, with some undercover work, could be effected in the East Village.

N.Y. Times, March 23, 1970, page 35, cols. 1-8

The Gambino Family does not have the West Village to itself.

The Gallo Family, headquartered in Brooklyn, has opened within the last two years several after-hour bars in the West 14th Street area.

The man designated by the Gallo Family to run these spots, which include The Barn, The Triangle, Hodes, The Zoo and The Tool Box, is Al Moss. Moss uses several underlings to handle the day-to-day operation, including attorney John Horan and manager, John Yaeger.

That there is an overall operation should be of little doubt. For instance, on May 12, 1971, Commission investigators questioned Yaeger at The Triangle about his failure to produce records subpoenaed by the Commission on May 3, 1971. Yaeger claimed that he had been unable to obtain the records from Ludwig Weiser, allegedly the owner of The Triangle. When asked for The Triangle's sales receipts and records that were stored at the bar, Yaeger handed the investigators several receipts, including bills for The Triangle and The Tool Box, an after-hours bar located at _____. Yaeger explained that he had "paid the bill out of [his] own pocket to help a friend."

Testimony

It was not until late June 1971, the last month of the Commission's existence, that the aforesaid information was sufficiently developed to question policemen assigned to the Village. At the end of June, several policemen were subpoenaed and questioned. All denied soliciting or accepting graft and knowing the men behind the after-hour clubs. They said that they did not even know of the Gallos except for what they read in the newspapers. Their involvement, however, with Al Moss and "Lefty" Mayer, two of the operators of these clubs was rather startling.

Plainclothesman James J. Walsh, who served as an undercover agent, testified that although he made ten to fifteen arrests at these establishments, he had "no idea" who was operating them. Of the Gallos, he knew only what he had read in the newspapers. He said that after a raid, he and his partners seized all the liquor and beer, and vouchered same at the precinct. Questioned about the enormous quantity of liquor and beer seized, (these clubs contained up to seven hundred people on occasion) Ptl. Walsh said that he had "No idea" what ever happened to this liquor and beer. (Executive Session, June 29, 1971 at 38, 43, 45-47.

Sgt. Waldeman B. Dreyer testified that on March 9, 1971, he decided to conduct a licensed premises inspection at Danny's Bar, located at 139 Christopher Street. Questioned as to why he selected this date, when this bar had gone a year without any such inspection, Sgt. Dreyer denied that it had anything to do with the fact that Commission investigators had earlier that day questioned the manager of Danny's.* (Supra at 140,144)

Sgt. Thomas Wieboldt, who has been assigned to the Sixth Precinct for the last ten years,** testified that between January 1970 and March 1971, he made around fifty licensed premises inspections and submitted about 30 UP-88s. He could not explain why police files did not contain any UP-88s submitted by him. (Supra at 148). He admitted knowing "Lefty" Mayer,*** Al Moss and John Yaeger, but denied ever hearing of "Blast" Gallo, or knowing who was operating any of the after-hour bars. Sgt. Wieboldt said that he had know "Lefty" Mayer for about two years and had socialized with him at several affairs, including the "precinct picnic and...two departmental promotional dinners.: (149-50,153).

Danny's is owned by "Lefty" Mayer. Ownership papers were filed by Danny McLaughlin as an accommodation to Lefty who could not get SLA approval.

He was transferred to the 81st Pct. on April 29, 1971. On December 21, 1970, his blue stationwagon, license plate no. 3838RE, was observed outside The Triangle.

*** This is the same "Lefty" who on January __, 1971, sold a pair of stolen boots to a Commission investigator at the White Horse Tavern located at 567 Hudson Street. On March 9, 1971, "Lefty" Mayer was questioned by Commission investigators about his associations with policemen assigned to the 6th Pct. and about allegations that he personally made monthly payoffs to the 6th Pct. and 1st Division. Mayer denied any such payoffs and replied that even if he had made them, he would never disclose same to investigators of police corruption. Interestingly, Mayer admitted to being on very friendly terms with members of the 6th Pct., especially Sgts. Wicelinski and Pepper and Ptl. "Frank" Hollywood. He also said that he knew Capt. Salmieri, the precinct commander, and frequently attended precinct functions--Christmas parties, dances, PBA convention, etc.--and even shot craps with the precinct members. He admitted that "he had been

Told by (parents?) unknown that he made for police
Lefty's boots to a policeman

He said that he had met Al Moss while making an inspection at the Triangle. He explained his failure to file a UF-88 for this inspection as "laxity." He added that although he spoke to John Yaeger, manager of the Triangle, he did not ask him about the Barn located directly overhead (155). Sgt. Wieboldt admitted meeting Al Moss in 1970 twelve times at the Triangle Bar and at several "police parties." "A lot of the ginmill owners are invited to parties." (160-162). He even saw Moss at the Triangle after he was transferred from the Sixth Precinct (165). At these meetings with Moss, Sgt. Wieboldt said that they discussed "generalities". "We never discussed police matters with Mr. Moss." (164-65).

Sergeant Bernard Wicelinski also knew "Lefty" Mayer and stayed at "Lefty's" ^{duplex} house in Fort Lauderdale, Florida for eight days in August 1970.* (171-73). He knew Moss to be the owner of The Butcher's Den, but denied knowing that Moss operated The Zodiac, located directly above the Butcher's Den (176-77). Sgt. Wicelinski said that although he knew The Zodiac, Exile and Barn to be after-hour clubs, he never forwarded this information to his superiors or filed any

* On April 29, 1971, he was transferred to the 28th Precinct.

UF-47s on same (175). He denied knowing that Moss had any interest in the Triangle Bar (179). He said that/^{the}last time he saw Moss was at "the opening of the new stationhouse." (178)

Sergeant Frank Hollywood, who has been assigned to the Sixth Precinct for the last 18 1/2 years--the last fifteen years in charge of Community Relations (182,185), testified that he has known Moss for sixteen years (183). He said that he never forwarded any information about The Barn because it was "not my function." (188) He also knew "Lefty" Mayer. He said that the latter "collected money for me in the PAL, PAL drive." (189)

Captain Salvatore Salmieri*, former commander of the Sixth Precinct,** denied knowing Moss, Yaeger, Mayer or any of the operators of the after-hour bars in this precinct (194-96). He, too, did not know whether any of the Gallos had any interest in these bars (203-05).

* On April 29, 1971, Capt. Salmieri was relieved of his command and transferred to Patrol Borough Queens.

** According to a prominent federal official, Capt. Salmieri personally collected payoffs from at least four establishments.

03

ENFORCEMENT

The amount and nature of arrests made by the police at the illegal after-hours bars is relatively poor. The record for 1970 through early 1971 was analyzed with respect to the following illegal bars:

- (1) Zoo - 421 West 13th Street (total of 30 arrests made on 7 occasions).
- (2) Hades - 507 West Street (18 on 5 occasions)
- (3) Zodiac - 835 Washington Street (20 on 8)
- (4) Christopher's End - 180 Christopher's (51 on 15)*
- (5) Barn - 26 Ninth Avenue (48 on 11)
- (6) Scotland Yard - 146-148 West 4th Street (6 on 2)
- (7) Z Club, A/K/A. Second Stop - 37-45 Ninth St. (13 on 5)
400 West 14th Street - 2nd Floor
- (8) Peter Pan's Magic Garbage Can - 400 West 14th St.
4th Floor) (2 on 1).

While there was no disposition for several of these arrests, 59 of them were analyzed. Of the 59, not one arrest resulted in a conviction for the illegal sale of alcoholic beverages.** Twelve were dismissed, and the remaining 47 resulted in pleas of guilty to the charge of disorderly conduct.***

The sentences meted out were as follows:

* Seven month period - April 22, 1970 to November 29, 1970.
** § 64-b of the N.Y. Alcoholic Beverage Control Law provides: that it is unlawful to sell liquor without a license. 3130 classifies a violation of this section to be a misdemeanor. Penalty is
*** N.Y. Penal Law § 240.20 classifies disorderly conduct as a violation. A violation (355.10-3; 10.00-3) is punishable by a term of imprisonment up to 15 days or, alternatively, by a fine up to \$250 or "double the profit from the crime."

31 - conditional discharge
10 - \$25 fine
2 - \$50 fine
3 - \$10 fine
1 - warrant
47

The warrant was issued on September 25, 1970 for the arrest of Keith Davis, a "repeater" who has been arrested at several different after-hours bars. Although Davis was arrested on December 28, 1970, January 13, February 6 and 21, 1971 at the Barn and on November 4, 1970 at the Zodiac, this warrant was never executed.

With few exceptions, the people arrested refused to discuss their arrests with the Commission. One arrestee, however, told the following story. To protect his identity, he will be referred to as "Pierre,"

On February 28, 1971 Pierre went to the Exile, as he had on many prior evenings. He knew the owner who is named "Jerry the Butcher," since he used to be a regular customer at the Tool Box where Jerry used to work. Jerry also had worked at the Tool Box and the Zodiac. On this particular night, the Exile was jammed. About 2:30 a.m., Jerry asked him if he would collect money (\$3) at the door because he (Jerry) had to leave and get more liquor. Pierre said that Jerry usually got the liquor from the Tool Box but that this night the Tool Box couldn't spare any. Jerry left him with some small bills for change.

Pierre was at the door for only 15 minutes

when the "raid" occurred. By that time, however, he had collected over \$200 and the stairs going up to the club were full of patrons waiting to get in. Three detectives appeared. From about half way up the stairs detective "No. 1" called up that it was a raid. He came to the landing where Pierre was collecting the entrance fees and told him to stand against the wall. Another detective "No. 2" came out from the club with one of the bartenders and told him to stand next to Pierre. They then ordered the club emptied and when there were only a few people left in the club, Jerry the Butcher came in. Detective "No. 2" wanted to arrest Jerry but

Detective "No. 1" told him that Jerry was a customer. When the same detective "No. 2" wanted to "break up" the club, he was told by Detective "No. 1" to "cool it."

When Jerry came into the club he entered into conversation with the detective "No. 1" who seemed to be running the show. They were joined by detective "No. 3" who had been downstairs at the door and continued their conversation off to the side. Jerry then left with detective "No. 3". Detective "No. 1" came over to Pierre and told him that everything had been arranged and that they would be taken

to the station where a summons would be made up and they would be released. Pierre felt that they were old friends of Jerry's and everything would be taken care of. Detective 'No. 1' had told him that Enid Gerling, Esq. would be his lawyer and take care of everything. Detectives 'Nos. 1 and 2' took one case of beer and two or three half-filled bottles of liquor. They left untouched cases of beer stacked inside the club and plenty of liquor on the back bar.

When they arrived at the station house, detective 'No. 2' made out the papers while detective 'No. 1' sat and talked to Pierre and the bartender. Detective No. 3 was not seen after he left the club with Jerry. They were then taken to the 30th Street Station house where they spent the rest of the morning until they were taken to court.

Enid Gerling, Esq.

When Pierre was arrested collecting the money, detective No. 1 told him to put the money in his pocket. The same detective later told him that everything was arranged, that Enid Gerling was his lawyer and that he should give the "door money" to her.

When they were brought into court, Pierre

said he did not have to put up any bond. (? did he meet her the 1st time) The next time he went to court he arrived about 10:00 a.m., as instructed, and met attorney Gerling in the back of the court. Mrs. Gerling informed him that everything had been taken care of. He never appeared before the Judge. He was brought to the back of the court where he signed some form to which \$20 was attached and that was the end of the case. He never hired Mrs. Gerling, never paid her and never paid any fine.

(He claims that when he was arrested, he was never fingerprinted or photographed.

When asked if he ever saw any money passed to the police the night of the arrest, he stated that he never saw it but heard that the police were given \$300 that evening. He questioned the bartender as to why the doorman at the club was not arrested by detective "No. 3" and was told that he was not supposed to be arrested because he was the nephew of a police captain. (unknown)

According to the arrest reports (6th Pct.) Nos. 505 and 506 the arrests were made at 2:30 a.m. 2-28-71 by

Ptls. Denicola No. 11777 and Walker No. 19643. First Division. The two defendants were charged with violating Sections 100-1 and 64B of the New York Alcoholic Beverage Control Law.

Patrolman Donicola's book for that date reads: "w/PH Walker 0130/0245 V/O and in 491 West St. Re: two arrests for ABC 100-1 + 64B #1 Roland Staba M/W/25 bartender sold officer rum & coke for \$1.50 #2 Jorge Menendez M/W/35 admitted officer to club for the sum of \$3.00." The memo book for Ptl. Walker is not in possession of the commission.

NHG
21172

01

(b) UP-47 Inspections

During the period February 1, 1970 through February 28, 1971, there were inspections of licensed premises performed in the Sixth Precinct. Of these, 353 were performed by uniformed sergeants while ³⁰thirty were performed by various detectives. Although it is the responsibility of all police officers to be aware of the conditions in all the licensed premises within his area, the responsibility of inspection is assigned to the patrol sergeant. There are twenty sergeants assigned to the Sixth precinct. Yet, ^{50%}~~fifty percent~~ of the sergeants performed 91% of the inspections with three sergeants accounting for fifty percent of the total. Two sergeants, viz., Quinlan and Piliere, performed two inspections while two sergeants, viz., Walsh and Fallon, performed only one inspection during the entire thirteen-month period. There are no inspections on record for four of the sergeants.

Even more startling is the fact that only one summons was issued as a result of the 383 inspections. This was issued to a rather quiet restaurant ~~xxxxxx~~ outside the heart of the village for serving a drink to a minor.

c) Uniform Inspection Forms--UF-88

No inspection was conducted for all of 1970^{St. Dennis} and it was not until March 9, 1971--approximately one hour after Commissioner investigators ~~ixxx~~ interviewed the manager of this bar, that a sergeant from the Sixth Precinct decided to inspect same. No violations were observed.

At the Triangle Bar, eight inspections were conducted but no violations were observed.

No UF-88s were filed on The Butcher's Den.

At The Tool Box, eight inspections were conducted but no violations were observed.

There seemsx to be no reasonable explanation why some places were never inspected, others inspected only once and others at numerous times without any violations of law.

d) Plainclothes Memorandum Books

The memorandum books of the plainclothesmen of the First Division appear to be nothing more than the result of the plainclothes team sitting down at some time after the tour and making up an entry to cover the tour. In a number of instances, the entries will be an almost verbatim duplicate of a tour of duty perhaps one or two weeks prior.

e) UP 128s

They proved to be unimaginative and showed ~~a~~ the complete lack of any serious investigation into the after-hour clubs. The reports are normally sterile and only vary according to ~~xxx~~ the style of the particular writer. A typical report follows: "August 16, 1970 0515/0545 - premises closed and locked. No persons in or out of premises. No persons loitering in area. No noise or lights from within. No ABC violations observed."