

THE ASSOCIATION OF THE BAR
OF THE CITY OF NEW YORK

In the Matter of:

MOLLEN COMMISSION HEARINGS
ON POLICE CORRUPTION

held at:

42 West 44th Street
New York, New York 10017

September 27, 1993

BEFORE:

HON. MILTON MOLLEN,
CHAIRPERSON

APPEARANCES:

COMMISSIONERS:

HON. HAROLD BAER, JR.

HON. HERBERT EVANS

HON. HAROLD TYLER

RODERICK C. LANKLER, ESQ.

NON-COMMISSIONERS:

JONNY FRANK, ESQ.

WILLIAM GOODSTEIN, ESQ.

QUESTIONERS:

JOSEPH P. ARMAO, ESQ.,
CHIEF COUNSEL

LESLIE U. CORNFELD, ESQ.,
DEPUTY CHIEF COUNSEL

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<u>Witness</u>	<u>Armao</u>	<u>Cornfeld</u>	<u>Commissioners</u>
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Videotape of Officer Otto	(inaudible)		
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Michael Dowd	24, 80 167, 207	94, 184	78, 209
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CHAIRPERSON MOLLEN: They've given of their time, their experience, their knowledge, their expertise generously and unstintingly, and I might add without compensation. Each of them is owed a great deal of gratitude by the people of our city.

At first I'd like to introduce on my right Judge Harold Tyler, the former Assistant United States Attorney, former Deputy Attorney General of the United States, and a former Federal District Court Judge in the Southern District of New York, Judge Harold Tyler.

On my immediate left is Judge Herbert Evans. Now Judge Evans held high position in the executive Branch of government, both with the state and the city, and then had a distinguished career as a judge, culminating his appointment as New York State Chief Administrative Judge of the court system, Judge Herbert Evans.

On Judge Tyler's right is Rod Lankler, a former Assistant District Attorney, New York County, former Deputy, Special Prosecutor for Corruption, and then actually State Special Prosecutor for Corruption in our city. And then on Judge Evans' left is Judge Harold Baer, who's former Chief of the Criminal Division of the United States Attorney's Office for the Southern

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1 District, former Executive Director of the New York
2 Police Department Civilian Complaint Review Board, and a
3 distinguished State Supreme Court Justice for ten years.
4

5 Those are my four colleagues on the Commission.
6 In addition to that, we had the assistance of an
7 extremely abled staff, superb lawyers and investigators,
8 headed by our Chief Counsel, Joseph Armao, and his Deputy
9 Chief Leslie Cornfeld. We've had the benefit of having
10 as our Chief Investigator Brian Carroll, and we also had
11 as Deputy Chief Investigator Frank O'Harold and Bob
12 Misardo.

13 In addition to those, we had a special counsel,
14 on my far left, William Goodstein, who serves without
15 compensation, and on my far right, Jonny Frank who's
16 presently an Assistant U.S. Attorney in the Eastern
17 District of New York and who is very graciously loaned to
18 this Commission to assist us in our work by the former
19 United States Attorney Andrew Maloney and who has
20 continued in this position with our Commission by Mr.
21 Maloney's successors, Mary Jo White and presently Zachary
22 Carter.

23 In addition to those, I would be remiss if I
24 did not express the appreciation on behalf of the
25 Commission to a number of other law enforcement

1 authorities who were extremely helpful to this
2 Commission. We had the Internal Revenue Service. In
3 fact, Chief of that office, William Gill, is presently
4 with us here. His Deputy Chief who's in charge of
5 internal security for the IRS, Joseph LaMonica, is here,
6 and they loaned us two of their top investigator to work
7 with the Commission throughout our work, and we're very
8 grateful to them.

9
10 In addition to that, Mr. James Fox, the head of
11 the New York office of the FBI, was cooperative and
12 helpful, and Mr. Driden of the DEA was extremely helpful
13 in assignment of his top agents to work with us during
14 the course of this investigation. I also want to express
15 our appreciate to the five District Attorneys, Mr. Robert
16 Morgenthau, New York County, Mr. Charles Joseph Hines of
17 Brooklyn, Judge Richard Brown of Queens County, Robert
18 Johnson of the Bronx, and Mr. William Murphy of Staten
19 Island for their continued cooperation.

20 And also among those who have been very helpful
21 to us has been the United States Attorney for the
22 Southern District Mary Jo White, United States Attorney
23 for the Eastern District Zachary Carter, and as I said
24 his predecessors, Ms. White and Andrew Maloney.

25 Now at this time I will make some remarks that

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1
2 will give you some idea as to what this Commission has
3 been about for the past year.

4 On August 3, 1972, the Knapp Commission
5 published the first installment of the Final Report. In
6 describing the momentum for Police Department reform that
7 existed at the time, that Commission issued a pressing
8 challenge to future generations, and I quote:

9 "The present situation is quite like that
10 existing at the close of previous
11 investigations. A considerable momentum for
12 reform has been generated, but not enough time
13 has elapsed to reverse attitudes that have been
14 solidifying for many years in the minds of both
15 the police and the public. At the previous
16 investigations the momentum was allowed to
17 evaporate. The question now is Will history
18 repeat itself? Or does the society finally
19 realize that police corruption is a problem
20 that must be dealt with and not just talked
21 about once every twenty years."

22 Unfortunately, almost precisely twenty years
23 later, here we are, because it had become clear that the
24 Police Department is still grappling with the corruption
25 problem.

1
2 On the basis of information brought to his
3 attention, Mayor Dinkins found it essential in the public
4 interest to appoint this Commission with the mandate to
5 ascertain the extent of corruption and to determine and
6 recommend the best means to deal with it most
7 effectively. For over a century, the history of police
8 corruption investigations in New York has run in twenty
9 year cycles of scandal, reform, backslide, and fresh
10 scandal.

11 Despite what some cynics may say, we believe
12 that this cycle is not inevitable and should not and
13 cannot be accepted as inevitable. It is imperative that
14 we learn from history, and we must be determined not to
15 repeat the same mistakes. Although no commission can
16 hope to totally eliminate corruption among police, or I
17 should point out in any other profession or occupation,
18 much can be done to deal more effectively with the
19 problem.

20 For the last twelve months, the Commission and
21 its staff have studied thousands of documents and
22 interviewed hundreds of police and civilian witnesses in
23 an effort to analyze the nature and causes of the
24 corruption problem facing the Department in the past, the
25 procedures the Department uses to combat it, and

1
2 recommendations for lasting improvement in this
3 procedures.

4 The purpose of these hearings is to present our
5 findings to the public. Thereafter, we will present a
6 report with our recommendations to Mayor Dinkins and the
7 public. It is of critical importance that the public be
8 made aware of the corruption hazards which confront the
9 Police Department, its managers, its officers, and the
10 citizens of New York.

11 The Police Department is not a private
12 business. It is a public trust that must always remain
13 accountable to the public it has sworn to serve and
14 protect. For most of us, a police officer is the law and
15 a symbol of justice. In a civilized society, it is
16 imperative that the members of the public have confidence
17 and faith in the integrity of the members of the Police
18 Department.

19 As a society, we have given the police officers
20 special powers, not the least of which is the power to
21 arrest and deprive someone of his liberty. Every day we
22 allow our police to judge our conduct as citizens, and
23 consequently, we citizens expect their conduct, we have a
24 right to expect their conduct, to adhere to the highest
25 standards. When charges of corruption are leveled at the

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1
2 police, the public has the right to be alarmed and to
3 demand from an accounting and a solution.

4 That is what this Commission, through its
5 hearing and final report, intends to provide. We hope
6 that by focusing the public's attention on the nature and
7 causes of corruption and on the Department's performance
8 in addressing the problem, the public will give its
9 support to official action taken to ensure a lasting
10 remedy to the problem.

11 For its part, the public owes an obligation of
12 respect and support for the police. Despite recent
13 revelations of police corruption, the Commission can
14 confidently report that each day throughout the year the
15 vast majority of police officers throughout this city
16 perform one of society's most important, sensitive, and
17 dangerous jobs with efficiency and integrity.

18 The public can also be assured by the fact that
19 Police Commissioner Ray Kelly has focused a great deal of
20 his time and attention on addressing problems of
21 corruption and discipline within Department. Since the
22 publication of its report on the Michael Dowd
23 investigation, the Commissioner has implemented a number
24 of important reforms that we expect will strength the
25 Department's corruption controls. He is to be commended

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1 for this diligence and commitment to improvement.

2 We believe that this Commission's public
3 hearings and recommendations will provide the
4 Commissioner with further impetus and guidance in
5 continuing his campaign of reform and will encourage the
6 support him in putting his reforms into effect. However,
7 as the Commissioner noted in his Dowd report, this
8 Commission's mandate is to provide a broader analysis of
9 corruption related problems than the Police Department
10 has provided so far.

11 To that end, the Commission has divided its
12 work into three phases -- an investigation of the nature
13 and causes of corruption as they exist; an analysis of
14 the Police Department's system for detecting, routing
15 out, and preventing corruption; and an formulation of
16 recommendations to remedy the problems that our
17 investigations and analyses have disclosed.

18 These hearings accordingly well be divided into
19 three segments. The first segment will focus on the
20 nature and causes of police corruption and the failure of
21 the Department during past years to aggressively
22 investigate and prevent it. You will hear testimony from
23 a number of former and current police officers and others
24 who, for the first time, will publicly disclosure the
25

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1 full extent of their experience and knowledge of the
2 kinds and causes of corruption that afflict the
3 Department and the Department's inability to deal with
4 the problems effectively.
5

6 The witnesses will relate their individual
7 experience and observations in matters of police
8 corruption and corruption investigations. The Commission
9 has selected these witnesses to appear at the hearing,
10 not solely to focus the public's attention on their
11 individual experiences, but because their individual
12 experiences illustrate the broader issues of corruption
13 and corruption control that confront the Department.

14 The second segment will address the failure of
15 the Department's anti-corruption controls in past years.
16 You will hear testimony from former and current police
17 officers who served the Department as Internal Affairs
18 investigators, as supervisors, and as integrity training
19 instructors. These officers have made the courageous
20 decision to come forward to reveal for the first time
21 their insider view of the failure of the Department's
22 anti-corruption controls and their judgment about why
23 such conditions were allowed to exist.

24 These officers who in the public interest are
25 demonstrating great moral courage, should be highly

1
2 commended by the Police Commissioner, and by the vast
3 majority of police officers while honest and
4 incorruptible, and by the public at large for stepping
5 forward and breaching the traditional Blue Wall of
6 Silence.

7 The third segment will present recommendations
8 for reform and more effective means of combating
9 corruption. The Commission unequivocally believes that
10 the prime responsibility for ensuring the integrity of
11 the police rests unconditionally with the Department and
12 its Commissioner who must retain the ultimate authority
13 in order to be effective.

14 The Department must remain responsible for
15 keeping its own house in order but at the same time, with
16 that responsibility, comes a total obligation to the
17 public to preform their job honestly and efficiently.
18 Thus, institutional reforms necessary to keep the
19 Department's corruption controls ever vigilant and
20 accountable to the public will be the focus of the third
21 segment.

22 Furthermore, the Commission on the basis of its
23 investigation has concluded that in order to ensure the
24 effectiveness and long duration of the reforms in
25 combating corruption instituted by Commissioner Kelly as

1 well as any additional steps he may take as a result of
2 these hearings, thought must be given by the Mayor and
3 the public and the Police Commissioner as to the
4 necessity for some form of outside, independent oversight
5 of the effectiveness of the Department's efforts in
6 deterring and combating corruption within the Department.
7

8 Such outside entity may take one of several
9 forms. Toward that end, we've examined the necessity for
10 a dual track approach -- namely, improved effectiveness
11 of internal policing within the Department on the one
12 hand and on the other hand, an independent outside
13 entity.

14 We will hear testimony from a variety of
15 people, including former and current law enforcement
16 officers, public officials, and academic experts who
17 present their recommendations as to the best means to
18 ensure that the Department's internal corruption controls
19 become and remain effective for the long haul and not
20 again fall victim to the Department's historical enemies
21 of backslide and scandal.

22 At the outset I must provide a word of caution.
23 The Commission's investigation and analysis were not
24 primarily aimed at disclosing individual acts of
25 wrongdoing or proving the guilt of individual police

1
2 officers. In fact, one of our fundamental findings is
3 that the problem of police corruption will not be solved
4 solely by focusing exclusively on individual acts of
5 wrongdoing.

6 Nonetheless, particularly during the first
7 segment, you will hear about crimes and acts of
8 corruption committed by police officers. So this
9 evidence may arouse your concern, as it should, it by no
10 means reflects the state of the Department as a whole.

11 Quite the contrary, our inquiries have shown
12 that the New York City Police Department is one of the
13 most honest and effective police forces in the world.
14 The public and the media must not lose sight of that fact
15 as the testimony unfolds. These hearings are meant to be
16 an indictment of the Department as a whole but the
17 exposition of the nature and causes of a Department
18 problem that is a necessary step towards laying the
19 groundwork for successful remedies to overcome the kind
20 of problem we face.

21 When these hearing conclude, the Commission's
22 work will continue. The evidence you will hear over the
23 next several days will be presented in great detail in
24 the Commission's final report which is now in preparation
25 and which will be released as soon as ready.

1
2 But for now, as you listen to the evidence
3 presented at these hearing, I ask you to keep in mind a
4 fundamental point. Police corruption is a problem that
5 cannot be solved exclusively by investigation and
6 prosecutions that temporarily attract the public's
7 attention through newspaper headlines, is a condition
8 that must be addressed on all fronts, and in the daily
9 operations of the Police Department through appropriate
10 recruiting, effective training, supervision, strict
11 internal audits and procedures, effective corruption
12 detection techniques, management accountability, public
13 accountability, and most important, and unflagging
14 commitment within the Department to deal with the problem
15 of corruption candidly and effectively.

16 That is the challenge that confronts the Police
17 Department and the public, to devise a system of
18 corruption control that will operate with vigilance, with
19 commitment, and public accountability, not only when
20 public attention is focused on the problem of police
21 corruption as it has during the past year, but with
22 constant vigor, well after ephemeral pressure for reform
23 has faded away.

24 This Commission's best hope is that the result
25 of its work will give a final answer to the questions

1 asked by the Knapp Commission twenty years ago, so that
2 twenty years from now a new police corruption commission
3 will not be asked to ponder the same questions.
4

5 Now at this time, I will ask our distinguished
6 Mayor of the City of New York, David Dinkins to present
7 his comments on the goals and the work of the Commission.
8 As you all know, of course, it is Mayor Dinkins who
9 appointed the members of this Commission as I indicated
10 in my remarks, gave us our mandate to proceed in the work
11 which we are doing on behalf of the public. Mr. Mayor.

12 MAYOR DINKINS: Thank you, Judge Mollen,
13 members of the Commission, New Yorkers. I appreciate the
14 opportunity to be here before the Commission that I
15 created more than one year ago. I speak today not only
16 as the mayor who appointed you but as a citizen of the
17 City of New York. So as Mayor and as a citizen, I thank
18 you for your service.

19 Your ensure full, fair, and independent
20 examination of the issues I've asked you to explores. I
21 look forward to reading your findings, and I look forward
22 to your recommendations based on the evidence you have
23 heard and the evidence that you will hear.

24 I empaneled this Commission because I wanted to
25 know the truth about our Police Department, a Police

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1 Department that is considered by many, including this New
2 Yorker, the best in the world. I empaneled this
3 Commission because I understood that in order to remain
4 the best, we needed to know the worst. We know that the
5 truth sometimes hurts. But what is painful today, but
6 will be regarded tomorrow as the best medicine.
7

8 I envision this Commission as a tool to help
9 make our Police Department more confident in their mission
10 and to make sure New Yorkers are more confident in their
11 Police Department.

12 Over the past three and a half years, we have
13 reinvented the New York City Police Department by virtue
14 of Safe Streets, Save City, we have added 9,500 new
15 police officers for a new increase of almost 6,000 new
16 police officers. We have adopted the concept of
17 community policing. The combination of these actions has
18 decreased crime 15 percent since fiscal 1990 and lead to
19 almost three successive years of across the board
20 reductions in FBI crime index for the first time since
21 the statistics were first compiled in the 1930's.

22 Perceptions sometimes die hard, but the facts
23 prove that we are restoring order to our City. However,
24 in order to ensure an orderly and law abiding society, we
25 need to ensure an orderly and law abiding police

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1 department. That is one of the reasons I and Speaker
2 Vallone advocated and won an all citizens Complaint
3 Review Board, to let New Yorkers know that police
4 officers need to account for their actions not only to
5 their commanders but to the people they serve and
6 protect.
7

8 The New York City police officer is an object
9 of pride for all New Yorkers, from the community police
10 officer on the beat escorting seniors on safe corridor to
11 the emergency service and aviation units plucking
12 stranded New Yorkers off the top of the World Trade
13 Center, to ingenious detectives rescuing a hero named
14 Harvey Weinstein, to divers in snowy Flushing Bay
15 rescuing air crash victims.

16 We love and value and appreciate and support
17 our police officers. And I know that as you move
18 forward, this recognition of excellence and bravery and
19 honor and integrity of our police officers will be
20 foremost in your mind because it is foremost in mine.

21 But I expect much, much more. I expect a
22 candid and swift assessment of what our Police Department
23 has done wrong and what they have done right in the area
24 of integrity control. Obviously, the testimony we will
25 hear will be painful and disturbing at times. Obviously,

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1
2 it will cause great pain to the silent majority of police
3 officers who do their job honestly and diligently.

4 We will be disgusted by the re-evaluations of
5 one walking, talking time bomb of corruption named Dowd.
6 We will be emboldened and encouraged by the testimony of
7 Sergeant Triboli, who defines what integrity means. And
8 yes, we will be mesmerized by a videotape this morning
9 that demonstrates the candid humanity and confusion of
10 even another police officer confronted by choices. It
11 will be up to you to sort these statements out and decide
12 how they fit into the puzzle.

13 When the specter of corruption was raised in
14 June of last year, I moved quickly, and I'm glad I did.
15 By Executive Order I appointed this Commission and asked
16 you to respond to my mandate. I know that Commissioner
17 Ray Kelly moved quickly too improving and modernizing and
18 updating an Internal Affairs system that had not been
19 changed since the Knapp Commission.

20 The new Internal Affairs Bureau reports not to
21 a uniformed officer, but to a civilian Deputy
22 Commissioner for the first time in the Department's
23 history. One of the world's best management experts,
24 McKenzie & Company, did a top to bottom review of the
25 integrity control functions, and their findings were

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1 immediately implemented. My expectation is that you will
2 have other recommendations too about improving our
3 integrity control systems, and I await with great
4 anticipation any measure you feel will be necessary and
5 good for our Police Department.
6

7 Human nature predicts that good people will
8 sometimes perform bad acts. The same is true for police
9 officers. However, the rules are not the same, nor
10 should they be, for our police officers. They have a
11 higher obligation to society because society confers upon
12 them a gun and a shield. Our society swears them in not
13 only as police officers but as peace officers.

14 As our City's instruments of peace, they bear
15 the heaviest burden of any group in our City, making
16 split second decisions not only about the application of
17 law but about the application of force. They risk their
18 lives with the same frequency that other New Yorkers
19 brush their teeth. But the pressure of office is no
20 excuse for misconduct. I have never, nor will I ever,
21 excuse or allow misconduct by police officers.

22 But time has shown that some police officers
23 have the capacity given the proper incitement to engage
24 in misconduct and to engage in misconduct on a mass
25 level. By example, I cite last year's police

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1 demonstration at City Hall. As a New Yorker, I have no
2 use for bad cops or bad people. As a Mayor, I say this
3 city cannot afford bad cops or bad people. But as
4 determined as your efforts are, you will not extinguish
5 bad cops. But as determined as our police officers are,
6 there will always be bad people.
7

8 Nevertheless, on behalf of all New Yorkers, I'd
9 like you to provide the answers to the following
10 questions: Why does there seem to be a twenty year cycle
11 of corruption in the Police Department? Why have
12 pervious commissions not bee able to stamp out
13 corruption? What additional measures can the Police
14 Department take to prevent and identify corruption? And
15 should the office of the State Special Prosecutor be
16 reactivated?

17 We are not back where we were during the Knapp
18 Commission's time, but nor are we going to wait for the
19 culture of corruption to grow when we see clear and
20 obvious danger signals because we never want to have a
21 cancer on the scale we had back them. That is a crucial
22 difference between now and then, and it is a difference
23 we are determined to maintain because our Police
24 Department is too important to us, because our police
25 officers are too precious to us.

1
2 That is way I empaneled this Commission and
3 charge you to look wherever you had to in order to
4 discover and uncover the truth. And that is why I
5 welcome these hearings because full disclosure of any
6 breaches of the standards of police integrity can only
7 help to energize us all to reinforce those standards.
8 And that is why Ray Kelly, a Police Commissioner in whom
9 the people of New York and this Mayor have complete
10 trust, continues to revamp and reinforce the Department's
11 ways of protecting those standards and its good name.

12 Through these hearings we will help to uphold
13 those standards of integrity for a nw generation of
14 police officers. Through these hearings we will buttress
15 the level of public confidence that is so crucial to our
16 officers' being able to carry out their vital work.
17 Through these hearings we will publicly confront those
18 who would corrupt our Police Department, and we will
19 speed up the day when we are well rid of such corruptors.

20 That is your mandate, and that is what this
21 Mayor of this City expect of your. Thank you very much.

22 COMMISSIONER MOLLEN: Thank you, Mr. Mayor.
23 Mr. Armao, we get on to the task at hand.

24 MR. ARMAO: Mr. Chairman, Commissioners, the
25 first witness to appear before this Commission is

1
2 currently a police officer of the New York City Police
3 Department. Unfortunately, he cannot appear in person
4 here today because he fears that his testimony about
5 police corruption may place his career and his personal
6 safety in jeopardy.

7 Nevertheless, he has agreed to present his
8 testimony by means of a videotape because he wants the
9 public and the Police Department of the baleful effects
10 of police corruption on the lives of honest police
11 officers and the citizens of New York. What you are
12 about to see is an interview I conducted with Police Otto
13 earlier this month. For technical reasons, both voices
14 on the videotape have been dissembled. Would you please
15 begin the videotape of Officer Otto.

16 COMMISSIONER MOLLEN: I would like to state
17 before it begins that the identity and the information
18 that will be provided here in this videotape is going to
19 be provided to Commissioner Kelly at the conclusion of
20 these hearings.

21 VIDEOTAPE

22 (inaudible)

23 MR. ARMAO: Mr. Chairman, the kind of serious
24 corruption that Officer Otto has spoke about was lived
25 and, in fact, perpetrated by the next witness which I

1 would like the Commission to call. If it please Mr.
2 Chairman and Commissioners, the Commission call Michael
3 Dowd.
4

5 MR. ARMAO: Please remain standing, Mr. Dowd.
6 Raise your right hand. I'd ask the Chairman to please
7 administer the oath.

8 CHAIRMAN MOLLEN: Mr. Dowd, do you swear or
9 affirm to tell the truth, the whole truth, and nothing
10 but the truth in the course of your testimony during
11 these proceedings, so help you God?

12 MR. DOWD: I do.

13 CHAIRMAN MOLLEN: Thank you, Mr. Dowd. Would
14 you please be seated. Mr. Armao, you may proceed.

15 MR. ARMAO: Thank you, Your Honor.

16 EXAMINATION BY

17 MR. ARMAO

18 Q Mr. Dowd, I'd like you to please keep your
19 voice up and speak into the microphone so that everyone
20 can hear you. Were you once a police officer of the New
21 York City Police Department?

22 A Yes, I was.

23 Q How long were you a police officer?

24 A Ten years and five months.

25 Q Could you please keep your voice up or

1
2 move the microphone closer to your mouth please. Mr.
3 Dowd, during those ten years as a police officer did you
4 use your authority to commit crimes and acts of
5 corruption in violation of your sworn duty to uphold the
6 law?

7 A Yes, I did.

8 Q While you were in uniform and on duty, did
9 you commit theft?

10 A Yes.

11 Q Did you commit extortion?

12 A Yes.

13 Q Did you engage in narcotics trafficking?

14 A Yes.

15 Q Did you protect drug operations?

16 A Yes.

17 Q Did you engage in personal drug use?

18 A Yes.

19 Q How many crimes and acts of corruption do
20 you estimate you committed as a New York City police
21 officer?

22 A Hundreds.

23 Q When did your career as a police officer
24 come to an end?

25 A On May 6, 1992.

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1
2 Q Is that the day you were arrested by
3 Suffolk County Detectives?

4 A Yes.

5 Q On June 10, 1993, did you plead guilty to
6 federal charges of racketeering and narcotics conspiracy
7 before the courts of the Southern District of New York?

8 A Yes, I did.

9 Q Was that related to your activities as a
10 police officer?

11 A Yes, it was.

12 Q Are you now awaiting sentencing on those
13 charges?

14 A Yes, I am.

15 Q Before beginning your testimony before
16 this Commission, Mr. Dowd, have you consulted with an
17 attorney?

18 A Yes.

19 Q Is your attorney with you today?

20 A Yes, he is.

21 Q Mr. Hirsch, would you identify yourself to
22 the Commissioners, please?

23 MR. HIRSCH: Yes, Mr. Armao. My name is Marvin
24 Hirsch, and I'm the attorney for Michael Dowd.

25 Q Mr. Dowd, have you had a full opportunity

1
2 to discuss with Mr. Hirsch issues relating to your
3 testimony before this Commission?

4 A Yes, I have.

5 Q Do you understand that this Commission
6 will ask you questions about police corruption in which
7 you were personally involved that has not yet been fully
8 revealed to the public?

9 A Yes.

10 Q Do you further understand, sir, that if
11 your provide false or misleading testimony here today,
12 the Commission will report that fact to the court that
13 will pronounce your sentence?

14 A Yes, I'm aware of that.

15 Q Do you further understand that your
16 testimony is under oath, and any knowingly false
17 statement that you make may subject you to charges of
18 perjury? Do you understand that?

19 A Yes, I understand that.

20 Q And lastly, Mr. Dowd, do you understand
21 that this Commission cannot assure or promise you that
22 your testimony here today will result in any leniency
23 from the sentencing court? Do you understand?

24 A Yes, I'm aware of that.

25 Q Before proceeding, I must caution you on

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1 two points. First, in responding to my questions, please
2 do not speculate. Base your answers on your first-hand
3 knowledge and experiences. Second, with regard to my
4 questions regarding police corruption, in order to
5 protect the confidentiality of any on-going
6 investigations, I would ask you to refrain from using
7 individual's names. Do you understand, sir?
8

9 A Yes, I understand.

10 Q Are you ready to proceed?

11 A Yes.

12 Q Before beginning your testimony about your
13 career as a police officer, Mr. Dowd, I'd like to ask you
14 a bit about your background. How old are you?

15 A Thirty-two.

16 Q Are you married?

17 A Yes, I am.

18 Q How long have you been married?

19 A Eight years.

20 Q Do you have children?

21 A I have two sons.

22 Q Are you from the New York area?

23 A Yes.

24 Q What county are you from?

25 A Suffolk County.

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1
2 Q Will your family be listening to your
3 testimony here today?

4 A Yes, they will be.

5 Q Have you had family who before you served
6 as New York City police officers?

7 A Yes.

8 Q Mr. Dowd, why did you become a New York
9 City police officer?

10 A I became a New York City police officer
11 because I thought it was the right thing to do. I
12 thought it was going to be an interesting career, and I
13 was looking forward to helping people.

14 Q Did you have any other expectations about
15 the job before you went to the academy?

16 A No. Just that it would be a lot of fun
17 and interesting career.

18 Q Did you plan or expect to use your
19 authority as a New York City police officer for your
20 personal gain?

21 A No way.

22 Q I'm sorry?

23 A No, never.

24 Q Before becoming a police officer, had you
25 ever been convicted of a crime?

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A No.

Q When did you enter the police academy?

A January 26, 1982.

Q And were your instructors experienced police officers to your knowledge?

A Yes.

Q Did you receive integrity training at the academy?

A Some, yes.

Q What do you mean by some?

A We had visits from Internal Affairs officers.

Q Say again? Visits from the Internal Affairs officers?

A Yes.

Q Did they conduct the integrity training at the academy?

A Yes.

Q Could you tell the Commissioners what it consisted of?

A It's not very easy -- I don't really remember. It was a brief couple hours. I don't, you know.

Q What was generally your attitude toward

1 the integrity training?

2 A Oh, it wasn't really my attitude. I had
3 no preconceived notions on what it was about, but the
4 attitude of the class itself and the instructors were
5 just get through this and we'll get on to the next
6 subject.

7 Q Did you personally treat it seriously, the
8 integrity training?

9 A No.

10 Q And based on your conversations with your
11 other recruits, did they treat it seriously?

12 A No. That's how we all formulated our own
13 opinions from that.

14 Q Based on what you could see, did the
15 instructors treat it seriously?

16 A Not at all.

17 Q Mr. Dowd, how did you academy experiences
18 compare with your expectations about becoming a police
19 officer?

20 A Well, my experiences in the academy were
21 totally different from my experiences as a police
22 officer. The academy is a very basic dry run. Has very
23 little to actually being a police officer.

24 Q Did you learn anything right at the
25

1 academy about the attitude or mentality of being a police
2 officer on the street?

3 A Well, yeah. Certain things you do pick
4 up, and I guess you say it was an us against them theme.
5

6 Q What do you mean an us against them theme?
7 Could you explain to the Commission what you mean?

8 A Well, we learned that cover your ass --
9 I'm sorry.

10 Q You can use the vulgarity if it expresses
11 the point, Mr. Dowd.

12 A That was one of the terms that was used in
13 the academy, CYA, I'm sorry, was the way they phrased it.
14 In other words, when you go out in the street from the
15 academy, have an answer for any situation you come
16 across, and if you have an answer, and it always helps to
17 have another police officer there to back it up.

18 Q When you say have an answer, what do you
19 mean? An excuse for wrongdoing, an excuse for
20 misconduct?

21 A If it was misconduct that you needed an
22 answer for, yes.

23 Q Who imparted this message to you, Mr.
24 Dowd?

25 A Our instructors.

1
2 Q Is this in your conversations with them?
3 The way they taught the class? How id you get this?

4 A Let me be clear. It's not that they, they
5 didn't suggest we do anything wrong or for us to do
6 anything wrong, but if we happened to do something that
7 might not be perceived as right, then have an answer.
8 From the instructors.

9 Q And are you suggesting that what the
10 instructors would impart to you is that you band together
11 with your fellow officers in order to cover whatever
12 misconduct or wrongdoing you might commit as a police
13 officer?

14 A Well, what I'm say is that it always helps
15 to have someone to back you up.

16 Q Meaning a fellow cop?

17 A Yes.

18 Q When you say us against them, who is the
19 us, Mr. Dowd?

20 A Us is the police officers, and them is the
21 public.

22 Q The public. After you graduated the
23 academy, sir, what was your first assignment as a police
24 officer?

25 A I was assigned to NSU 16 in Queens,

1
2 Roosevelt/Corona area.

3 Q Okay. For those of us who are not
4 familiar with police jargon, what is an NSU?

5 A Neighborhood Stabilization Unit.

6 Q And what do you do in an NSU?

7 A You learn the job.

8 Q Sort of as an on-the-job training for
9 rookies

10 A Yes.

11 Q What area of New York City did your NSU
12 cover?

13 A Like I said Jackson Heights, Elmhurst,
14 Corona, Astoria. It was a large area.

15 Q How did it feel for you being a police
16 officer for the first time with a gun and a shield?

17 A How did it feel? It was a wonderful
18 feeling, very proud. Scary, but proud.

19 Q Did you feel powerful?

20 A Yes.

21 Q In what way?

22 A What way? I guess in a sort of machismo
23 way you start to feel, you're young, you're insecure, now
24 you have a gun and a badge, and that says you're the
25 boss.

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2 Q How long did the NSU assignment last?

3 A I was there approximately eleven months.

4 Q And in your first six months as a police
5 officer, did you commit any acts of misconduct or
6 corruption?

7 A Yes.

8 Q Could you please tell us what it was.

9 A Well, it's very hard to be accurate on
10 many there was, but I could give you an example of my
11 first episode.

12 Q Please do.

13 A I was waling under the el on Roosevelt
14 Avenue, by the Junction Boulevard, and I noticed a saloon
15 on my right-hand side at the time. An elderly gentleman
16 at the bar waved me in. And I didn't have a portable
17 police radio on me because we were shorthanded on radios
18 at the time. I didn't see a patrol car in the area, so I
19 assumed the sergeant wasn't around, so I walked in.

20 Q You walked into the bar?

21 A Yeah.

22 Q And what did you do?

23 A I had a couple of drinks.

24 Q While you were on duty and in uniform?

25 A Yeah.

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2 Q What about with other police officers, Mr.
3 Dowd, in your first year as a rookie cop? Did you ever
4 engage in misconduct with them?

5 A Yes.

6 Q Could you tell us briefly what that was
7 about?

8 A Oh. There was one incident where I was
9 in the car with some senior officers who showed me
10 basically how to get free beer from a bodega.

11 Q How do you do that?

12 A Well, it's not very difficult. You walk
13 in in uniform, you order a six pack of whatever it is,
14 Budweiser, Coors, whatever you're drinking, and you talk
15 out with it. But it happened in this instance where the
16 guy actually brought the beers out to the car.

17 Q Were you with a ranking officer at the
18 time or a supervisor?

19 A That's a different incident. That's
20 another incident that happened.

21 Q Well, were you ever involved with an
22 incident with your supervisor while you were a rookie
23 cop?

24 A Oh, yes.

25 Q Tell us about that.

1
2 A Well, I was the sergeant's chauffeur for
3 the day, and the sergeant, I had noticed him going in and
4 out of stores, and after the third or fourth time he went
5 in, I said, I smelled the alcohol on his breath, and I
6 said to him, listen, next time you go in, I'm going in
7 with you.

8 Q Meaning what, Mr. Dowd? That you wanted
9 to drink on duty with him?

10 A Yeah.

11 Q This was a sergeant meant to supervise
12 your activities as a rookie patrolman, is that right?

13 A Yes.

14 Q Mr. Dowd, in your experiences in your
15 first year, did you come to learn what it meant for a
16 police officer to be "good?"

17 A Yes.

18 Q Could you tell the Commissioners and the
19 public what it means to be "good" in the police jargon as
20 you know it?

21 A Well, being "good" is a cop that would
22 never give up another cop. A cop that if he witnesses
23 something go down, he's 100 percent anything a cop does,
24 no matter what it is.

25 Q Does that mean that he would be willing to

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2 overlook or condone corruption that he observed?

3 A That means anything.

4 Q That means that he would also willing to
5 engage in the corruption himself, is that right?

6 A Well, in some situations.

7 Q Mr. Dowd, did you first year as a police
8 officer teach you the importance of being a "good" cop?

9 A Yes.

10 Q Could you please explain what you mean?

11 A If you're a "good" cop, you'll be accepted
12 by other cops, and if other cops accept you, then you're
13 a "good" cop, and you can get along on the job culturally
14 and you'll be accepted and you won't be outcasted by
15 other officers and you'll be in the fold.

16 Q Is this a matter of forging relationships
17 or bonds of trust?

18 A Sure it is. It's a matter of learning how
19 to survive.

20 Q And is this an attitude which you kept
21 with you throughout your career as a New York City police
22 officer?

23 A I'll say.

24 Q And was it what allowed you to engage in
25 what is virtually a career of corruption with a number of

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1 different police officers?

2 A Yes.

3 Q Did you learn this right from your field
4 training officer back in the NSU?

5 A Well, he had his own tests.

6 Q Now when you say tests, exactly what do
7 you mean? Why don't you elaborate on that?

8 A Well, you know, they call it the Dowd test
9 now, but it wasn't the Dowd test back then. It was
10 another guy tested me.

11 Q Well, tell us what you mean by testing.

12 A Well, I was with the training officer, and
13 me and another rookie cop, and he sent us in for pizza at
14 a place that he knew was good. So when he sent us in,
15 actually the other rookie went in, and he came out, and
16 he guessed how much was the pizza. So the kid, the
17 rookie cop said nothing, don't sorry about it. It's
18 taken care of. So it was understood that no rookie cop's
19 going to spend \$8.00 for a pizza for me and him.

20 Q So what did you understand? That the
21 rookie cop got the pizza free?

22 A Right.

23 Q Now this field training officer, this is
24 the person who's supposed to be responsible for training
25

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2 you about police work and molding your character, is that
3 correct?

4 A That's correct.

5 Q So when the other rookie came in with the
6 free pizza, did he have any suggestions for you at that
7 point?

8 A Well, the training officer suggested what
9 would you like to drink, and, you know, if someone asks
10 you what would you like to drink, that meant there was an
11 option. No ones says would you like a Pepsi or a Sprite,
12 I mean, it's --

13 Q You mean alcohol.

14 A Yeah. He was suggesting, and I took the
15 hint, and I went and picked up a six pack of beer and
16 split it up.

17 Q And you drank it in the car with your
18 field training officer?

19 A Yes.

20 Q You said before that you thought that this
21 was a test. A test about what? About being a good cop
22 in the way that you mean good?

23 A Yes. A test to see if you're strong
24 together. It wasn't a test to see if I'd go out and do
25 other crazy acts, but it was a test to see if you're good

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1 with him. If you're strong, if you'll back him up.

2 Q And do you know that? How does going out
3 and getting a six-pack of beer establish that kind of
4 thing?
5

6 A Well, because -- I know it to be --
7 consuming alcohol and buying alcoholic beverages on duty
8 is against Department procedures.

9 Q So you both know that you're committing
10 misconduct in each other's presence.

11 A Right.

12 Q And I suppose you both feel confident that
13 neither one of you will make a complaint to the
14 Department about it.

15 A I wouldn't complain about him if he don't
16 complain about me, and then we both keep our job and we
17 all go on happily.

18 Q Did you bring this attitude with you in
19 your next assignment, Mr. Dowd?

20 A Most certainly.

21 Q What was your next assignment after your
22 NSU year?

23 A 75th precinct, East New York.

24 Q The East New York section of Brooklyn?

25 A Yes.

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2 Q What was your reaction to being assigned
3 the 75th precinct?

4 A I was terrified.

5 Q Why was that? Did the 75th precinct have
6 a particular reputation that frightened you?

7 A Well, as a rookie cop in Queens, you know,
8 we like to say I was in a busy Queens house. We had a
9 little experience. But when I drove down Sutter Avenue
10 in East New York, I said oh, my God.

11 Q Why? What struck you about the area?

12 A Well, it looked like a battle zone.
13 Looked like a battle zone.

14 Q What did you know about the 75th precinct
15 with regard to its reputation among assignments in the
16 Department before you arrived there?

17 A Well, I think there was three of us that
18 were assigned to Brooklyn as a whole from Queens. So
19 being sent to either East New York or Brownsville was
20 definitely, or Bed-Stuy was definitely one of the
21 undesirable places to be sent, and usually it was sort of
22 a punishment.

23 Q Punishment meaning what? That you got an
24 undesirable assignment?

25 A Punishment meaning that you weren't really

1
2 liked, so they're going to send you to a busy house and
3 see if you can survive.

4 Q Is there a particular phrase that
5 policemen use for such assignments?

6 A I really don't want to say it.

7 Q Is there a particular name that policemen
8 use for such assignments? Is it called a dumping
9 grounds?

10 A Oh, yes. There's other words. Yes,
11 correct.

12 Q Are there other vulgar words?

13 A Yes, that's why I didn't want --

14 Q Did you know any police officers who were
15 assigned with you in the 75th precinct, Mr. Dowd? When
16 you first arrived, were there other police officers you
17 knew from the academy or any other experience?

18 A I was transferred with one from NSU.

19 Q What squad were you assigned you when you
20 first got to the 75th precinct, do you recall?

21 A I was assigned to one of the nine squad
22 charts around the clock in the beginning.

23 Q Were you on foot patrol or in a radio car?

24 A I was -- a combination of everything.

25 Q During your first year in the 75th

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2 precinct, did you feel compelled to show other cops in
3 that precinct that you were a good cop in the way you
4 described it?

5 A Yes.

6 Q How does that happen? What did you do?

7 A Um. Well, there's a lot of things you can
8 do to show you're good, and one of them is to be involved
9 in force ax, things like that?

10 Q What do you mean by force ax?

11 A Use of excessive force.

12 Q You mean beating up prisoners?

13 A Well, prisoners -- they don't have to be
14 prisoners.

15 Q Well, who can they be?

16 A It could be anybody. Anybody who has a
17 confrontation with the police.

18 Q So in other words, police brutality as
19 it's known is a way of showing other officers that you're
20 a good cop and can be trusted?

21 A Yes.

22 Q Did you experience that in you first year
23 in the 75th precinct, Mr. Dowd?

24 A Yes.

25 Q Did you personally engage in administering

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1 beatings to prisoners and other people?

2 A Yes.

3 Q Mr. Dowd, in a precinct like the 75th
4 precinct, did it become particularly necessary to forge
5 bonds with other police officers there?

6 A Yes.

7 Q Why was that?

8 A Survival.

9 Q Survival? What do you mean by that, sir?

10 A Well, it goes back to us against them
11 attitude, and when you're in a busy, busy precinct like
12 that, you know, one day you just might get killed?

13 Q How busy was the 75th precinct? How many
14 radio runs a day does an average police officer handle?

15 A I averaged about 250 calls a month.

16 Q And in a precinct of that nature, you just
17 mentioned a moment ago that it was particularly necessary
18 to forge bonds with other cops because of survival. What
19 do you mean? That you protect each other on the street?

20 A Yes, very much so.

21 Q Do you believe if a cop is not a good cop
22 in the way you describe it, that his safety in a command
23 like that might be jeopardized?

24 A Yes.

25

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2 Q In what sense?

3 A Well, if a cop isn't good, you might be
4 more slow to react to his calls for help which there are
5 quite a few.

6 Q Is that particularly true if a cop is
7 known as a rat or a complainant or someone who talks to
8 supervisors?

9 A Definitely. More so.

10 Q Even more so?

11 A More so.

12 Q In your first year in the 75th precinct,
13 did you come to socialize with your fellow officers both
14 on and off duty?

15 A Yes.

16 Q In your estimation was this part of this
17 ritual of demonstrating you were a good cop?

18 A Absolutely. It's all part of the society.
19 You lose all contact with the outside world once you come
20 into a busy place like that. It's just cops and you.

21 Q Just your fellow cops and you?

22 A That's it.

23 Q And what is the public viewed as, the
24 enemy?

25 A Well, I hate to say it so broadly, but,

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1
2 you know, there's a lot of nice people in the public, and
3 cops are aware of that. But the ones we interact with on
4 a daily basis are the enemy.

5 Q You mean criminals?

6 A Yeah.

7 Q What sorts of things did you do in the
8 first year you were on the job, Mr. Dowd, with your
9 other, your fellow police officers to show each other you
10 were good and establish these kinds of bonds?

11 A First year on the job or the first year in
12 the 75th precinct?

13 Q Your first year in the 75th precinct is
14 what I meant to say.

15 A In the 75th precinct I can recall, the
16 first is very few. I mean, you know, it's mostly showing
17 one another that you're good. Maybe you have a couple of
18 beers together in the car, maybe with the other officers
19 around. You get together and you have a couple of cold
20 ones on duty.

21 Q Did there come a time when the socializing
22 or meetings that you and other officers in the 75th
23 precinct became more frequent? Did you go to particular
24 places while you were on duty?

25 A Well, yes. Probably -- let me explain

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1 something. The first year was a very, lot of trial and
2 tribulation went on, so a lot of that doesn't happen so
3 overtly. But by the second year, you're in full swing of
4 doing just about everything you can and want to do.
5

6 Q So in the first year, did you engage in
7 acts of corruption and misconduct?

8 A Yes.

9 Q Minor corruption?

10 A Minor.

11 Q And did it evolve from there?

12 A Yes.

13 Q Let's go to your second year. Did there
14 some a time when you got assigned to a scooter squad as
15 it was called?

16 A Yes.

17 Q Could you tell us about your experiences
18 once that assignment came to pass?

19 A Well --

20 Q How did you forge bonds with the officers
21 in that squad?

22 A Like we had said earlier, we did a lot of
23 drinking on duty and rendez-vousing at the pool we used
24 to call it?

25 Q Okay. Let's stop there for a moment.

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2 When you say rendez-vousing at the pool, what exactly do
3 you mean?

4 A We used to call each other over the radio
5 and set up a location that we going to meet at, a
6 predetermined location.

7 Q At that time did you have any particular
8 steady tour of duty?

9 A Well, I was in steady scooter squad?

10 Q What was that, 4 to 12?

11 A 4 to 12's and then the next week would be
12 day tours.

13 Q Now what you're saying is you used to call
14 each other, you and your buddies, on the radio?

15 A Yes. All the other sectors.

16 Q Did you have any particular jargon you
17 used? Were there any code words or would you just say
18 let's meet at the pool?

19 A Yeah. Rendez-vous at the pool.

20 Q Right over the ordinary Department
21 frequency?

22 A Yeah.

23 Q What was the pool, Mr. Dowd?

24 A The pool was an inlet from Jamaica Bay
25 that went into the middle of the marshlands.

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1
2 Q And why was that selected as a rendez-vous
3 point?

4 A 'Cause it was a good place to hide.

5 Q Hide from whom?

6 A From the police.

7 Q Meaning from your bosses, your
8 supervisors?

9 A Yes.

10 Q Mr. Dowd, in that second year while these
11 rendez-vous's at the pool were going on, how many police
12 officers were involved in these meetings in this secluded
13 area?

14 A How many?

15 Q How many cops?

16 A Whoever was working.

17 Q All of you working?

18 A Yeah. Just about.

19 Q The entire scooter squad?

20 A At one time or another.

21 Q How many police officers would that be?

22 A Twenty-five, thirty.

23 Q And at various times would you in groups
24 or all meet at the pool?

25 A Yes.

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1
2 Q This was during the time that you were
3 supposed to be out patrolling East New York and
4 protecting the public, right?

5 A Yeah.

6 Q What did you do once you go to the pool?
7 What was the purpose for these meetings?

8 A Well, there was a lot of purposes for
9 them. A lot of them was for drinking, a lot of them was
10 for laughs, a lot of them was for firing off guns.
11 Immature things. A lot of them were for preplanning drug
12 raids.

13 Q Let's just take it one by one. So one of
14 the reasons you would meet at this pool, this clandestine
15 location, was just for laughs as you put it, shooting off
16 your guns.

17 A Yeah.

18 Q What else did you do there? Drinking?

19 A Drink.

20 Q Way to pass a day.

21 A Yeah.

22 Q Now when you say preplanning for drug
23 raids, can you describe to the members of the Commission
24 what you mean by that?

25 A Oftentimes, you'd have a predetermined

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1 location that is a known drug location, and what we'd do
2 is we'd get together and discuss how we were going to go
3 and when we were going to go and what time, and then we'd
4 get together at the pool and discuss it.
5

6 Q And when you say drug raids, is another
7 term for that hitting spots?

8 A Sure.

9 Q What is the intention of hitting a spot?
10 I assume you're talking about drug locations, correct?

11 A Drugs spots.

12 Q So what do you do when you hit a drug
13 spot?

14 A What do you do? You take everything you
15 can.

16 Q How many police officers in your
17 experience were involved in doing these drugs raids, Mr.
18 Dowd, in that second or third year of your assignment to
19 the 75th Precinct?

20 A It varies from eight to twelve.

21 Q Now when you went into these locations,
22 what was your intention? To steal, I imagine.

23 A Yeah.

24 Q What would you steal?

25 A Money and drugs and guns. Whatever was

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1
2 there.

3 Q What would you do with the money?

4 A Split most of it up.

5 Q With your colleagues? The other cops?

6 A Yes.

7 Q What about the drugs? What would you do
8 with that?

9 A Depends. Sometimes we just throw it away,
10 and sometimes we'd take it. It depends upon the amount.

11 Q Well, if you take it, what would you do
12 with it? Personal use or resale?

13 A Some of us used it. Some of us would
14 resell it.

15 Q What about you? Did you resell it?

16 A Sometimes.

17 Q Mr. Dowd, when the officers would rendez-
18 vous at the pool in order to either shoot off their guns
19 or plan drug raids, didn't any of the supervisors notice
20 that a large amount of their radio motor patrol cars were
21 not on the streets of East New York?

22 A Probably. I'd say they did.

23 Q Were you and the fellow officers there
24 ever caught at the pool by a supervisor?

25 A There were times when they knew we were

1 there. To say we were caught, I can't recall.

2 Q How do you know they knew you were there?

3 A Everybody knew we were there. It wasn't
4 like it was a secret.

5 Q It wasn't a secret throughout the
6 precinct?

7 A No. There were fifteen guys working, the
8 guy who's driving the boss knows where we're going.

9 Q Let me ask you this. In all the times
10 that you were meeting at the pool in those first years or
11 so in the 75th precinct, did you ever receive even a
12 command discipline for that kind of activity?

13 A Not for that.

14 Q Once again, Officer Dowd, I'd like to go
15 back to these drugs raids. You also said that you took
16 guns from these locations. What would you do with the
17 guns?

18 A I wasn't much for guns, but I'd give him
19 out. Give him to people, sell them to people.

20 Q What kinds of people would you give them
21 to or sell them to?

22 A I'd give them to store owners, one time to
23 a drug dealer.

24 Q For money?

25

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1
2 A Not always. Sometimes just for favors.

3 Q Sort of like souvenirs you can hand out.

4 A Right.

5 Q Mr. Dowd, to your knowledge in those first
6 years in the 75th precinct, let's talk about 1984, 1985,
7 until to 1986, how many police officers would you
8 estimate in the 75th precinct were involved in conducting
9 these drug raids or these hitting spots?

10 A Well, if you're asking me to estimate --

11 Q Based on your personal observations of
12 police officers who were with you.

13 A Police officers who were with me?

14 Q Right. On various times. Police officers
15 you spit money with.

16 A Fifteen to twenty. I have a problem with
17 that because I didn't know how you were asking that.

18 Q What I mean to say, Mr. Dowd -- again,
19 let's just clarify -- based on your first-hand knowledge,
20 officers you split money with, officers you had
21 conversations with about such crimes?

22 A Well, you see, now you're going a little
23 further. I didn't know that. There were conversations
24 with half the precinct about things like that.

25 Q But not half the precinct was engaged in

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1 this kind of activity.

2 A I don't know that, but they knew about it.

3 Q What I'm asking you is your knowledge of
4 how many officers were actually perpetrating such crimes?

5 A Well, then I have to stay down around
6 fifteen.

7 Q Fifteen?

8 A Fifteen or twenty.

9 Q Mr. Dowd, are you familiar with the term a
10 crew?

11 A A crew?

12 Q Yes. C R E W

13 A Yes.

14 Q Is that a word you used during your
15 corrupt activities as a cop?

16 A We had a crew.

17 Q Could you explain to the members of the
18 Commission and the public what a crew is?

19 A Well, if it hasn't been explained already
20 through out testimony, a crew is a group of officers that
21 get together and make a pact with each other that
22 basically, till death do us part, to do whatever we have
23 to do, whatever comes up is good.

24 Q So that you all sort of agree. Is this a
25

1
2 tacit unspoken agreement or is this something you
3 actually talk about?

4 A Oh, this is something we sit down over a
5 couple of cocktails somewhere, whether it be on duty or
6 off duty, and come to an agreement, understanding.

7 Q Was there a phrase that you and your crew
8 used in order to signify your corrupt activities and
9 getting money, personal gain?

10 A Like scores like.

11 Q Anything else? Did you call it anything
12 else? You ever hear of the phrase making money off the
13 job?

14 A Yes.

15 Q What does that mean?

16 A Well, making money off the job would be --
17 you see, we use that in a lot of different ways. By not
18 spending money, you're making money off the job. You
19 know, whether it be food, whether you need a new window
20 for your house, new tires on your car. That's all making
21 money off the job.

22 Q In other words, getting this stuff from
23 store owners who give you this for free.

24 A Right.

25 Q And making money off the job I imagine

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1 also includes other kinds of corrupt ventures.

2 A Which would be, yeah, the shakedowns.

3 Q Mr. Dowd, I'd like to know what was the
4 first incident you engaged in that more or less began
5 your career of serious corruption. Let's get the
6 drinking on the job behind us and the other kinds of
7 misconduct. What was the first incident?

8 A There's hundreds of incidents. To start
9 off --

10 Q Do you recall an incident at 660 Hegeman
11 Street.

12 A Yes, I do.

13 Q Would you mind telling the Commissioner's
14 what happened at that time and place?

15 A 660 Hegeman was, I don't know it was a
16 radio run or a pickup of a robbery.

17 Q One second, Mr. Dowd. when you say radio
18 run, you mean a call to service that you receive over the
19 Department radio?

20 A Yes. I don't know if it was that or a
21 pickup. I mean, it's seven, eight years ago or nine year
22 go.

23 Q Pickup meaning a complaint from a civilian
24 on the street?

25
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1
2 A Pickup, it could have been a guy who ran
3 up to the car and says a guy's being robbed upstairs in
4 the hallway. When we got upstairs, there was a guy
5 bleeding, bloody on his head. He said the guy robbed him
6 and ran inside the door. It took some force to get the
7 door, we pushed the door down, ran inside, and noticed it
8 was a drug factory inside.

9 Inside the drug factory, there was people
10 jumping out windows. It's mayhem. If you've never been
11 there, you don't know what I'm talking about. Mayhem,
12 it's dangerous, you're scared. This is the third floor,
13 people are jumping out the window, pulling air
14 conditioners out of windows so they could get out.

15 And I notice a table, something this size,
16 filled with drugs, blenders, tin foils for wrapping up.
17 At the time, it was popular to put cocaine in tins. But
18 what happened was there was some other officers arrived
19 at the scene. They basically, I was a young cop, so they
20 took over the scene, and they were in the undercover
21 units, and it wasn't really their job, but they took
22 over. Out of frustration, I remember reaching into a box
23 full of cocaine and taking out two big handfuls and
24 putting them in my pocket and walking about.

25 Q What did you do with the cocaine after

1 that?

2
3 A I gave it to some friends of mine on Long
4 Island.

5 Q Who sold it for you?

6 A Yeah.

7 Q Mr. Dowd, do you recall a situation in
8 which in your first attempts at corruption you were
9 nearly caught by a sergeant at a location?

10 A Yes. Yes, I do.

11 Q Can you tell us about that incident?

12 A Well, there was a call for a shooting on
13 Sutter Avenue, right off Pennsylvania. I don't the
14 address. It escapes me right now. And this was in 1985
15 I guess. The beginning of '85, end of '84. And the
16 individual, we got the call, we arrived, and there's a
17 guy shot in the head, and we notice it was a drug spot.
18 It was a known drug spot. So we went inside,
19 pandemonium, of course, because there's people, there's a
20 guy shot, there's a guy trying to administer first aid,
21 and he's faking it, and I know he's faking it because he
22 probably shot him I'm saying to myself.

23 One thing leads to another. We end up
24 searching the premises. I find some money, couple of
25 pounds of reefer. After I found the money, I found

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1 another little stack of money of hundred dollar bills.
2
3 No one was around, so I put it in my pocket.

4 Q And then what happened?

5 A Well, the sergeant arrived on the scene,
6 and after he did an inventory of the place and he counted
7 the money that was vouchered, was being vouchered, and he
8 took the drugs, he said is that all the money that's
9 here, and I got nervous, and I took the money out of my
10 pocket and gave it to him.

11 Q What did you say to him?

12 A What did I say to him? I said oh, I was
13 holding this. I didn't want anyone to steal it.

14 Q And he accepted that?

15 A Yes.

16 Q Another way of CYA, Mr. Dowd?

17 A Yeah, sure.

18 Q Always having an answer. Did you see that
19 sergeant afterwards, after that incident?

20 A Yes, I did.

21 Q And did you have a conversation with him
22 about that incident?

23 A Yes.

24 Q Could you tell us what the substance of
25 the conversation was?

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2 A Well, we were out at a watering hole on
3 Long Island, a couple of us, and I grabbed him to the
4 side and I said to him, sarge, listen, you know, I'm
5 embarrassed about what happened, I says, but to tell you
6 the truth, I was thinking about keeping the money. And
7 he said, well, a few explicits, you know, you idiot,
8 whatever you want to say without saying any of the real
9 things he said. He said you had it in your pocket, it
10 was yours. You should have kept it.

11 Q And this was a sergeant who was meant to
12 be supervising you in the 75th precinct?

13 A Yes.

14 Q You socialize with sergeants, Mr. Dowd,
15 during that time?

16 A Sure.

17 Q Did you become friendly with them?

18 A Yes.

19 Q Was it difficult given the social
20 relationship you had for them to supervise you
21 effectively?

22 A It was more difficult. Yes.

23 Q What was the message you received as a
24 patrolman when a sergeant tells you, you idiot, that was
25 yours, you should have kept it?

1
2 A I'll never do that again.

3 Q That is, never give it back again.

4 A I'll make sure I get what I can before he
5 gets there.

6 Q Mr. Dowd, eventually during your
7 assignment to the 75th precincts, did you come to be
8 assigned with a regular partner? And here again, I want
9 to emphasize that you should refrain from using the names
10 of these individuals. Did you come --

11 A Yes.

12 Q Did you, like the other officers, form a
13 pact with this first partner of yours?

14 A Yes.

15 Q How did it come about?

16 A I'm sorry, can you go back?

17 Q Yes. I'm asking you whether with your
18 first partner in the 75th precinct, your first regular
19 partner, did you, like you did with other officers, form
20 a pact with him with regard to corruption matters?

21 A Yes.

22 Q Can you tell us, please, what it was?

23 A Well, it was basically simple. We do a
24 little corrupt act together, and from there we know that
25 well, you can't tell on me, I can't tell on you. And you

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1
2 better not tell on me or, you know, there's a price to
3 pay.

4 Q Again, this is what's become known as the
5 Dowd test, engaging in minor acts of corruption?

6 A Yes. We would drink to start it off.

7 Q Did you start to engage with him in more
8 serious forms of corruption and crime?

9 A Yes.

10 Q Could you tell the Commission, please,
11 what it was you and your partner engaged in?

12 A Well, I had a motorist pay us some money.

13 Q Motorist paid you money for what?

14 A For not giving them summonses.

15 Q Okay. Did you graduate from there with
16 your partner into more lucrative forms of corruption with
17 regard to the narcotics trade in the area?

18 A Well, these are two different partners
19 now.

20 Q No. I'm talking about your first regular
21 partner. Okay? Did there come a time, Mr. Dowd, when
22 you and a partner of yours decided to profit from the
23 drug dealers --

24 A Yes.

25 Q -- in the 75th precinct?

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1
2 A Yes.

3 Q Could you tell us what exactly you planned
4 to do and how you carried it out.

5 A We planned. We sat together in the car.
6 We had a couple of beer. We talked about it. I knew his
7 family from the neighborhood, he knew my family. And we
8 held strong bonds between each other, and we vowed that
9 we would never give each other up, and let's go out and
10 make some money.

11 Q Let's go out and make money off the job,
12 right?

13 A Yeah.

14 Q So how did you do it? What did you do?

15 A We shook down drug dealers.

16 Q Okay. When you say shake down drug
17 dealers, what does that exactly mean?

18 A It means you get a call to a location,
19 maybe the third time today, and you're tired of going, so
20 you make the guy pay. You take his proceeds, his cash
21 and his drugs. Either you take the drugs or throw them
22 out.

23 Q Why don't you describe for us an incident
24 perhaps that you remember? So an incident that
25 illustrates how you would get money from a drug dealer

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1 without the drug dealer in any way complaining of having
2 any repercussions for you.
3

4 A It's not that difficult to take money and
5 drugs from any drug dealer. You get a call, you get a
6 description, you show up. He's standing on the corner.
7 He's got drugs. He know he's going to jail if you want.
8 So instead of sending him to jail, you take his drugs and
9 his money. I mean, I don't think it's very hard to --

10 Q Just reach into his pockets and take his
11 drugs and his money?

12 A Yeah.

13 Q Did you ever leave him any drugs or any
14 money to keep him happy?

15 A Yeah, sure. You didn't want to get him
16 too upset with you.

17 Q What's the reason for that?

18 A Well, you didn't want -- if he was broke,
19 he'd have to answer his bosses, so you'd have, next time
20 you may have a problem with him. And his boss would tell
21 him make a complaint on this cop.

22 Q So in other words, you would leave him
23 some drugs and money in order to keep him satisfied and
24 perhaps keep him silent about your activities.

25 A Yes, without a doubt.

1 Q How often did these shakedowns occur?

2 Let's say in that first year you were working with your
3 partner.

4 A How often in number or --

5 Q How often, how often in a day, how often
6 in a week?

7 A Five times a day.

8 Q Did you have any plans that you made with
9 your partner regarding how much money you and he would
10 like to make off the job?

11 A Yeah. Eventually we got so good that we
12 started to set goals on how much money we would get each
13 day.

14 Q Let me just stop you there for a minute.
15 When you say you got so good, good at what? Good at
16 shaking down the drug dealers?

17 A Shaking them down with no repercussions.

18 Q What sort of goals did you and your
19 partner set?

20 A Well, in the beginning we set it moderate,
21 like \$200 each a day from the street dealers.

22 Q That's moderate?

23 A Yeah.

24 Q Go ahead.
25

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1
2 A And then around the holidays, we'd go up
3 to \$500 a day.

4 Q Was it easy to make that kind of money, an
5 extra \$1,000 a week or an extra \$2,500 a week just by
6 shaking down drug dealers?

7 A Yes, very easy.

8 Q On what tours would you commit these
9 crimes, Mr. Dowd?

10 A Mostly the 4 to 12's, but if the day tours
11 were out there, we'd take them too.

12 Q So this could go on any time of day, in
13 broad daylight --

14 A Yeah.

15 Q -- or under the cover of darkness?

16 A Anytime.

17 Q Besides yourself and your partner, were
18 you aware if other police officers assigned to that
19 precinct were engaged in the same kind of crimes?

20 A Yes.

21 Q How did you know? What's the basis for
22 your knowledge?

23 A Well, I did them with them.

24 Q With other police officers?

25 A Yes.

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1
2 Q Is that when your partner wasn't
3 available?

4 A Well, it could be at the same time. We'd
5 all roll up on a spot or a corner or whatever. There may
6 be twenty guys selling on one corner.

7 Q And did that happen often where a number
8 of radio motor patrol cars would roll up to shake down
9 drug dealers?

10 A Yes.

11 Q In your experience and base don your
12 first-hand knowledge, how many police officers were
13 involved in that activity in the 75th precinct?

14 A I believe I told you earlier, about twelve
15 to fifteen.

16 Q Okay. The same number that was in your
17 original crew, is that right?

18 A Yes.

19 Q Would you also steal drugs from these drug
20 dealers, Mr. Dowd?

21 A Yes.

22 Q Would the other officers steal drugs from
23 the drug dealers as well?

24 A Yes. I don't know what they did with it,
25 all of them, but, you know, some of them, some them even

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1 gave it to us.

2 Q Some people have said that this kind of
3 corruption is a matter of opportunity, but what you seem
4 to be saying is that this was premeditated and planned.
5 Is that your experience?

6 A It was a daily basis. It was something
7 that happened daily. Planned? I don't know if you have
8 to plan that. It was just regular, every day patrol.

9 Q You said you set goals in the amount of
10 money that you wanted to make, correct?

11 A Correct.

12 Q That you would pick out certain locations
13 to hit, correct?

14 A Yes.

15 Q That you would go to a clandestine
16 location known as the pool --

17 A Yes,

18 Q -- to plan this. So what you're talking
19 about here is a number of officers planning how to use
20 the narcotics trade to steal from the narcotics trade for
21 their own personal gain?

22 A Yeah, that's planning.

23 Q As your time in the 75th precinct
24 continued, did you find other opportunities as well as
25

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1 shaking down drug dealers for making money off the job?

2 A I found a lot of ways to make money.

3 Q What about with regard to what you called
4 radio runs, calls for service? Were they opportunities
5 for corruption for you?

6 A Yes. There was plenty of opportunities.
7 The radio runs were the one that would give me the tips
8 on where to go and where not to go.

9 Q How do you mean that, sir?

10 A Well, the best way to do -- I guess I'm
11 going to teach everybody how to make money here.

12 Q Let's hope not, Mr. Dowd.

13 A Huh?

14 Q Let's hope not. Let's just get to the
15 truth of the matter.

16 A I'm embarrassed by saying a lot of these
17 things. It's not that simple, you know. The best way I
18 would pick a radio run is by the infrequency or the least
19 probability of it being called. Maybe you'll get a call
20 ten times a day, you'll get the same location or the same
21 address, and you know it's really not a good call to go
22 on to make money. Not only has it been hit three times
23 already that day, but also it's just, it's played out and
24 it's a good chance you're going to get set up.
25

1
2 Q Let me stop you there for a moment, Mr.
3 Dowd. So what you're saying is as your experience as a
4 police officer grew, you would also get a better sense or
5 a better smell for corruption opportunities?

6 A Certainly.

7 Q Why don't you give us an example of how
8 now as you've been an experienced corrupt cop, you knew
9 what opportunities on radio runs might be lucrative?

10 A I'll give you a case scenario if that's
11 sufficient.

12 Q Please.

13 A I have an incident where we'll get a call
14 for shots fired at a certain address, Pine Street, say,
15 off the corner of Linden Boulevard. It's a very quiet
16 area, nothing goes on down there. You don't often get
17 even a fake call down there, never mind a call for say
18 someone shot. Your experience tells you that this is
19 probably a good call. The sad thing is is that someone's
20 probably shot and someone's probably dead, but the other
21 thing in the back of your mind which was my mind at the
22 time was that there was probably a reason this person was
23 shot, and it's probably over money and drugs.

24 Q So?

25 A And it just so happened that when you're

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1
2 experience tells you these things, and you know.

3 Q So when you get a location that is a rare
4 location over the radio, what do you do? Even if it's
5 not your sector, do you go there?

6 A If I wanted money that day, yes.

7 Q Okay, so what would happen? Do you have
8 an example? Did that ever occur in your experience?

9 A Yes. I'll give you the example on Pine
10 Street. There was a man shot through the peep hole of
11 his door. Obviously, he was shot by a friend because the
12 door was unlocked. And we arrived at the location, and
13 mind you if I describe these things, it's not so easy.
14 They're hectic. People are running around. I'm walking
15 into this building with a guy dead on the floor here, gun
16 fire going off upstairs, doors and drawers and cabinets
17 and everything opening and closing. In my warped mind,
18 I'm saying they're hiding the drugs. I'm not worried so
19 much about the guns, I'm worried about, oh, sit, they're
20 hiding the drugs or the money.

21 Q In other words, you're concerned that you
22 might not find drugs and money there.

23 A I knew they were hiding it. I was getting
24 a little concerned, but I knew there was big weapons in
25 the house so I had to step back a little. That's just

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1 the way it was.

2 Q So what happened in that incident?

3 A Well, after I convinced the people
4 upstairs that I was the police, and I wasn't going to
5 hurt them, they came to the stairwell. You got to
6 picture. It's a long climbing stairs, and they're
7 upstairs, and I don't know what's up there, and you're
8 scared. In the back of my mind, I kept thinking about
9 the drugs and the money. I had to get up there.

10 Sure enough, I get up there, and I found it. I
11 found another table almost like these things. These
12 tables are perfect for them. Another table like this
13 with drugs on it, empty crack vials, thousands and
14 thousands of empty crack vials, so I knew I was on a
15 spot.

16 So what I did was I had my partner watch the
17 door, because now you got to realize it's a hectic scene.
18 There's people dead. There's a lot of cops coming and
19 going. So I had my partner watch the door while I
20 searched this room. Well, he got a little excited. He
21 came in the room with me, and we had another cop outside
22 watching the door, and meanwhile, there's fifteen cops in
23 and out of the place.

24 My partner found a gun, and he's a gun buff, so
25

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2 he wanted to take the gun. I told him put the gun down.
3 We got drugs over here, and you can buy ten times the
4 guns with the drug money. So we took a bag of drugs out
5 of the house.

6 Q And did you manage to resell that?

7 A Yeah.

8 Q What was your score on that particular
9 incident, Mr. Dowd?

10 A I can't be accurate with that. I'd say
11 \$1,200, I don't know.

12 Q Sorry?

13 A Maybe \$1,200.

14 Q Did there come a time, Mr. Dowd, where you
15 made even bigger scores than that? Did you ambitions
16 increase?

17 A Yes.

18 Q Could you tell us about that? How that
19 developed?

20 A Well, I had another job where I came
21 across a half a kilo of cocaine.

22 Q Now how did you come across that? Was
23 that a radio run?

24 A No. That was a pickup. There was a
25 robbery in the street. I picked up the job. I went to a

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2 house. I followed the kid in. I knocked on the door,
3 the young kid let me in and my partner, and we went
4 through the house, and we were able to determine it was a
5 drug house.

6 Q How did you determine it was a drug house?

7 A The looks. The house was too well
8 furnished. Too much money was spent inside the house.

9 Q And that sort of set off your instincts?

10 A Immediately.

11 Q So what did you do?

12 A Well, again, a lot of cops show up because
13 it was a pickup of a robbery, guns were involved, you
14 know, cops trying to help each other out. They come,
15 they show up, and I push the collar off on some young
16 cops, and I continued to search the house.

17 Q When you say you pushed the collar off on
18 some young cops, can you explain what you mean by that
19 phrase?

20 A Well, pushed the collar. Young guys
21 showed up, it's a gun collar, they're excited. You want
22 a gun collar, kid? Yes.

23 Q So they're happy to get the arrest?

24 A They're happy to take it. I'm happy to
25 get rid of it because I don't want to go through central

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2 booking and go through all the paperwork, and I know
3 there's something else going on here, so I'm more
4 interest in that.

5 Q So they take the arrest and leave, and you
6 and your partner do what?

7 A Search the house.

8 Q What do you eventually find?

9 A We found a locked suitcase, and I'll tell
10 you how it happened. I find a locked suitcase downstairs
11 in the basement behind something like this, drapes. So I
12 take the suitcase out from behind, and I shake it.
13 Actually, I'm praying it's money because it's heavy, but
14 it turns out we couldn't open the briefcase, so my
15 partner ran to the back and got a hacksaw in the guy's
16 work room. And I hacksawed the box open, the briefcase
17 open, and I pulled out a half a kilo of cocaine.

18 Q What did you do with the cocaine?

19 A Well, I slipped it under my jacket, and I
20 walked out of the house, only to be confronted by the
21 owner, who got me nervous. I felt like I was stealing
22 his drug, I might get in trouble, I don't know.

23 Q Was there ever a complaint made about
24 that, Mr. Dowd? Any complaint at all about that
25 incident?

1 A No.

2 Q Were you able to sell the cocaine?

3 A Yes.

4 Q Was that through yourself, your own
5 efforts, or you partner's efforts?

6 A My partner took it.

7 Q What was the score so to speak on that
8 sale of drugs?

9 A \$14,000.

10 Q Mr. Dowd, how much money would you
11 estimate in your first two or three years in the 75th
12 precinct you were making from your illicit activities,
13 from scores, shaking down drug dealers, and the rest?

14 A In the early years?

15 Q Yes, sir. Before 1986.

16 A I don't know. \$500 to \$1000 a week on the
17 average.

18 EXAMINATION BY

19 CHAIRMAN MOLLEN

20 Q Mr. Dowd, a few minutes ago you said there
21 are other ways to make money in addition to money off
22 drug dealers. Would you care to tell us some of the
23 other ways that you were able to make money on the job?

24 A Well, I had said that making money on the
25

1
2 job means often not spending money.

3 Q I know, you said that some time ago. But
4 a few minutes ago, when you were saying how you were
5 making off drug dealers, you also said there were other
6 ways to make money. Is that what you were referring to?

7 A Yes. There are other ways, like
8 burglaries.

9 Q Did you actually engage in burglaries?

10 A Yes.

11 Q Tell us some of the circumstances, please.

12 A Well, there's be a burglar, actually, I
13 would get a call to a burglarized house. If you want me
14 to give you an instance, I'll give you an instance on how
15 it happened. This is probably my most embarrassing thing
16 I did as a police officer. I was called to a burglary in
17 progress. The woman that was at the home was a young
18 lady in her early twenties. She was nervous to go in her
19 home, so we accompanied her into the home, and we checked
20 the placed out.

21 And there's a lot more to it before I just say
22 this. I had gotten a new partner at the time. I had to
23 prove to him that I was good. So in order to prove to
24 him that I was good, I had to give him some reason to
25 know that I was good. So what I had done was I told the

1 woman, I said listen, we don't know if they took anything
2 from your house or not. Where's your mother? She's at
3 work. I told her why don't you call your mother at work
4 and tell her, and ask her if she has anything hidden in
5 the house that might be missing. So she called her
6 mother, and her mother told her where the money was
7 hidden, and I found it for her, but she never got it.
8

9 Q You mean you found it and you took it?

10 A Yeah.

11 Q What sum of money was that approximately?

12 A I'm sorry?

13 Q What amount of money was that?

14 A That was a small amount at the time. It
15 was like \$600, \$800.

16 EXAMINATION BY

17 MR. ARMAO

18 Q Mr. Dowd, I'd like to just go back for a
19 moment to the time in which you were engaging, as you
20 said before, in making scores at radio runs and shaking
21 down drug dealers in your first years at the precinct
22 because I understand that that incident happened a little
23 bit later on, as you explained to the Chairman. However,
24 the Chairman makes a good point. Besides the drug trade
25 in your first years in the 75th precinct, were there

1
2 other ways that you would make money off the job with
3 regard to let's say business owners?

4 A Well, I personally didn't get paid from
5 any business owners.

6 Q What about getting gifts?

7 A Yes.

8 Q How would that happen, Mr. Dowd? How
9 would you become involved with the business owners,
10 people in the community in order to engage in that kind
11 of corruption?

12 A Well, everybody likes to have a police
13 officer in his store, in and out of his store during the
14 course of a day. They feel safe, and the neighborhood
15 people see cops in and out of there, so they're less
16 likely to stick them up or bother them or rob them when
17 they leave.

18 Q And so what happens?

19 A So they entice you by making nice offers
20 to you, whatever it might be. If it's a clothing
21 factory, they offer you clothes. If it's a food place,
22 they give you free food. And so on.

23 Q And you would take the clothing and the
24 food from these business owners?

25 A Yes.

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2 Q Mr. Dowd, one of the things I wanted to
3 ask you about was the Commissioner's heard evidence
4 before your appearance here that police officers on
5 occasion used informants in order to assist them in
6 identifying locations that they might hit. Was that true
7 in your experience as well?

8 A Yes.

9 Q How would that take place in your
10 experience, Mr. Dowd?

11 A How would that take place?

12 Q Yes.

13 A Well, you speak to a local drug dealer or
14 a drug user, somebody who maybe they're tired of being
15 shaken down, and they want you to leave them alone, so
16 they give you other information. Or you happen to catch
17 them with a couple of pieces of narcotics on them, and
18 it's not worth the arrest and it's not worth taking,
19 usually you'll let them go.

20 Q Has that happened to you? Did you use
21 informants to hit drug spots?

22 A Yes.

23 Q Do you recall any particular example? I'm
24 thinking of a bodega on the corner of Shepard Avenue.

25 A Yes.

1
2 Q How did that take place? How did you use
3 the informant to identify a location for corruption?

4 A Well, that was back in 1985 now.

5 Q As I said, I wanted to go back to that
6 time period in your career.

7 A Well, what happened then was my partner
8 who was really, he was into coke a lot at the time, and
9 maybe I didn't know it. We found this guy who had
10 actually come out of the spot which was a bodega, and he
11 had drugs on him. And he told us where he got it, and
12 how it got it. So we planned for the following day to go
13 back there and hit the spot with him. What we had we
14 told him to go in, buy his piece, and then come out. If
15 they had, we would go in and hit the store ourselves in
16 uniform.

17 Q And did you do that?

18 A Yes.

19 Q Did the people in the store make a
20 complaint against you and your partner?

21 A I believe someone tried to.

22 Q You say try to. What happened based on
23 your knowledge?

24 A Well, we took a gun and some drugs. One
25 of the women, there was a woman. She was crazy. She

1
2 went to the precinct to tell the police that I took her
3 gun.

4 Q What happened when she got to the station
5 house?

6 A I don't know that she ever made it to the
7 desk. I don't know. I don't even know. Maybe they
8 thought she was crazy.

9 Q Was it your attitude that your supervisors
10 would protect you with regard to allegations of
11 corruption that came in about you in these early years?

12 A Yes. They deflected a lot of it.

13 Q Would they tell you about that?

14 A Well, there were instances where they let
15 it be known.

16 Q Let it be known that what?

17 A That we were getting some complaints or
18 that we may be being watched.

19 Q And would that assist you in covering up
20 or concealing your corruption?

21 A It would help us either change our
22 patterns or stop.

23 CHAIRMAN MOLLEN: Did they ever tell you to cut
24 it out?

25 A Did anyone ever tell me to stop?

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1
2 CHAIRMAN MOLLEN: Yes.

3 A No.

4 Q Mr. Dowd, did there come a time in 1986
5 that you were transferred out of the 75th precinct?

6 A Yes.

7 Q Based on your conversations with police
8 officers in that precinct and with supervisors, how many
9 police officers knew about the corruption that you and
10 your crew were engaging in at the time?

11 A The whole precinct.

12 Q Were your supervisors like the integrity
13 control officer and the commanding officer aware of this?

14 A Yes.

15 Q How do you know that?

16 A Well, my partner happened to be friendly
17 with the ICO, the integrity control officer, and he had
18 made mention that someone made a complaint and just watch
19 yourselves. And then shortly thereafter, I was called in
20 by the Inspector to drive him to borough meeting, and my
21 partner and I drove him down to the meeting. It just
22 seemed very odd. You now, cops have a sixth sense about
23 things. They know when something's up, and I knew
24 something was up, so did my partner. We dropped the
25 Inspector off at the borough meeting. He said it was an

1 emergency borough meeting, and these things don't happen.
2

3 Q The Inspector being the commanding officer
4 of the 75th precinct?

5 A Yes.

6 Q Thank you.

7 A So after we dropped him off, we went back,
8 and he called for us to come back and pick him up about
9 two hours later. When we picked him up, we got him in
10 the car, my driving scared the heck out of him, but other
11 than that, he had the chance to say to me and my partner
12 why don't you put a 57 in. A 57 is a transfer form from
13 one precinct to another. So he didn't let us say a word,
14 he just said I think you two guys are burnt out, and the
15 ghetto's got the best of you. It's time to move on. So
16 that was pretty subtle. That was a pretty subtle hint
17 right there.

18 Q So he asked you to get yourself
19 transferred out of his command?

20 A Yes.

21 Q And you were, pretty much based on your
22 knowledge, known to be a pretty serious discipline
23 problem at that time?

24 A I don't think that would totally accurate,
25 but I was a problem, yeah. I guess I can't cover that

1
2 any longer. I was a problem.

3 Q Did you eventually get transferred out of
4 the 75th precinct in 1986?

5 A Yes.

6 Q Mr. Dowd, I'd like to stop you there a
7 moment. During this time were there rumors circulating
8 around your command about a major investigation into
9 police corruption?

10 A Yes.

11 Q And that eventually --

12 A It was about the 77th precinct.

13 Q It was about the 77th precinct?

14 A Yes.

15 Q Did you follow the results of the 77th
16 precinct case, you and your fellow officers?

17 A Yes.

18 Q Were you very interested in what was going
19 on there?

20 A Well, I was happy it wasn't us.

21 Q Do you know that thirteen police officers
22 were arrested and indicted as a result of that
23 investigation?

24 A Yes.

25 Q Would you say based on your first-hand

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1
2 knowledge that the 75th precinct was as infested with
3 corruption among cops as the 77th precinct was at that
4 time?

5 A Without a doubt.

6 Q Mr. Dowd, for all of the time that you
7 were in the 75th precinct up until 1986 before your
8 transfer, all the acts of corruption which you've
9 described for us in crimes, did you ever once receive any
10 discipline whatsoever until 1986?

11 A I don't think so.

12 CHAIRMAN MOLLEN: While you were there, Mr.
13 Dowd, at the 75th precinct, can you hear me?

14 A Yes.

15 CHAIRMAN MOLLEN: Could you tell us a little
16 bit about the motivation for what you were doing? In
17 other words was it because you needed the money? Was it
18 because it was a thrill for you and your partner to do
19 this? What were you thinking?

20 A Well, it's a combination of basically what
21 you said. It was a thrill. Let me back up for one
22 second. The original reasons a lot of things are done is
23 not to be so corrupt. In the beginning you start out
24 saying, you know, you're angry that the drug dealers
25 basically run the street, and you're angry that you have

1 no dent into what they're doing.

2
3 So in the beginning you start, well, what the
4 heck. If we arrest them, we get a complaint by our CO or
5 our sergeant that what did you do. You took two crack
6 vials off the street. You cost the City sixteen hours
7 overtime. What's going on here? So you know, it's that
8 attitude, and then the next day you won't get the same
9 assignment. You'll be on a foot post in the weeds by the
10 Belt Parkway. This is how it begins, and this is how it
11 began with us.

12 And then the negative reinforcement constantly.
13 You say what the check, make them pay a tax. Make the
14 drug dealers pay a tax. Don't get me wrong. I didn't go
15 there intending to rob drug dealers. I made drug arrests
16 when I first got there, but very, very quickly you're
17 turned off to this by the Department itself. And if
18 anybody tells you any different, they're lying.

19 CHAIRMAN MOLLEN: Thanks.

20 Q Mr. Dowd, when you were transferred out of
21 the 75th precinct, what detail were you put in then in
22 May of 1986?

23 A I was put in the Coney Island detail.

24 Q What is the Coney Island detail?

25 A Coney Island detail is basically you walk

1
2 along the board walk for the summer.

3 Q Is it a place where police officers who
4 are known as discipline problems go?

5 A We call it the dumping, we get dumped
6 there from the precinct. It's not a favorable
7 assignments for cops in Brooklyn because they got to
8 travel to the end of Brooklyn, and it adds that much more
9 travel time to their day.

10 Q After your conversation with the
11 inspector, the commanding officer of the 75th precinct,
12 were you thereafter assigned with your partner to the
13 Coney Island detail?

14 A Yes. And a few others.

15 Q And a few others from the 75th precinct?

16 A Yes.

17 Q What was your experience there, sir?

18 A It was a lot of fun.

19 Q Well, can you tell us what you mean by
20 fun?

21 A Oh, it was fun. One drunk day after
22 another.

23 Q Did you do any police work whatsoever
24 while you were there?

25 A I don't think -- what's police work?

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1
2 Police work's standing out making sure you're seen
3 visibly.

4 Q And you were there day after day in
5 uniform drunk?

6 A Most of the time.

7 Q Did you have supervisors in the Coney
8 Island detail? Sergeants and lieutenants?

9 A Yes.

10 Q Were you observed by them in that kind of
11 condition?

12 A Yes.

13 Q What was the reaction or the consequences
14 of that?

15 A Well, there was no consequences. I mean,
16 one time we were tipped off that we were getting caught.
17 Someone made a complaint that the cops were hanging out
18 in the bar, so the lieutenant told us at role call one
19 day I know it's none of you guys, but someone made a
20 complaint that the cops are hanging out in a bar in
21 uniform. So after the beads of sweat went away on my
22 brow, I didn't go back there.

23 Q What happened to your partner during the
24 Coney Island detail?

25 A He quit.

1 Q He resigned?

2 A Yeah, he resigned.

3 Q Why did he resign?

4 A Because of the noise coming out from the
5 77 investigation and because he had a feeling that one
6 day he might get arrested.

7 Q Did you have any dangerous experiences
8 while you were out in Coney Island while you were
9 intoxicated as your described?

10 A Yes.

11 Q Tell the Commissioners what that was.

12 A I was very, very, very drunk. Even that's
13 a little cloudy, the memory of it. All I remember was we
14 were coming back to the precinct, and we were in a police
15 Blazer, and they had just stopped off and picked up some
16 Dunkin' Donuts, strange. And I usually don't eat Dunkin'
17 Donuts, and I ate it and I threw up all over inside the
18 car because I was so drunk. They were trying to sober me
19 up is what they were doing.

20
21 When we got back in front of the precinct, a
22 crazed guy came to the precinct with a toy gun in his
23 hand and pointed it at about forty cops. Miraculously,
24 he didn't get shot. He threw the gun down, and it broke
25 in half. And I was so drunk, I was in the car, and I was

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1 pointing the gun through the window of the Jeep. Ranting
2 and raving in my drunk stupor. I ended up assisting and
3 cuffing him. Don't ask me how I got there. I probably
4 flew. And then I ended up carrying him back into the
5 precinct -- well, carrying -- assisting him back into the
6 precinct with the lieutenant in tow. I didn't know the
7 lieutenant. I couldn't see.

8
9 Q Did you ever receive from that lieutenant
10 any sort of discipline for being drunk and unholstering
11 your firearm while you were in that condition?

12 A No.

13 CHAIRMAN MOLLEN: Conversely, Mr. Dowd, did you
14 ever get any offer of treatment or help at that point in
15 your career.

16 A No.

17 CHAIRMAN MOLLEN: Even though there are a lot
18 of people, including officers, senior officers who
19 observed your condition.

20 Q Mr. Chairman, with the Commission's
21 permission, we'd like to take a five minute recess at
22 this point.

23 CHAIRMAN MOLLEN: Certainly. We'll recess for
24 five minutes. We'll return at 11:05.

25 (Whereupon a five minute recess was taken)

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2 Q Your Honor, I'd ask Ms. Cornfeld to
3 proceed with the questioning.

4 CHAIRMAN MOLLEN: Just so that all know, Miss
5 Leslie Cornfeld, Deputy Chief Counsel to the Commission.
6 Miss Cornfeld, you may proceed.

7 MS. CORNFELD: Yes, Judge.

8 EXAMINATION BY

9 MS. CORNFELD

10 Q Mr. Dowd, after your summer in Coney
11 Island, when you returned to the 75th precinct, did you
12 go back expecting to continue business as usual?

13 A No.

14 Q Could you tell us what you mean?

15 A Well, when you say go back, you mean to
16 the 75th precinct, right?

17 Q That's right.

18 A Okay.

19 Q This would be now September of '86.

20 A No. I had a very, well, the 77th precinct
21 was about to break or had already broke, and the real
22 possibility of my own problems being uncovered I thought
23 were at hand. And besides the fact that I newly married,
24 and I had a brand new son, I intended on doing the right
25 thing.

1
2 Q Doing the right thing. Your attitude
3 obviously last long, Mr. Dowd. Could you tell us what
4 happened?

5 A Well, what happened was after I got to
6 the --

7 CHAIRMAN MOLLEN: Hold it one moment, Mr. Dowd.
8 Would you please be quiet in the corner there.

9 A After my arrival back to the 75th
10 precinct, I had, I thought, a new attitude, and I was
11 hoping to be able to survive a career as a police officer
12 at this point. I knew it would be difficult, but I
13 didn't think that it would be as difficult as it turned
14 out to be.

15 Q Why was it so difficult?

16 A Because many of the police officers there
17 wouldn't work with me for many reasons, and one of the
18 main reasons was because they couldn't believe that I was
19 still on the job.

20 Q Why couldn't they believe that you were
21 still on the job? What do you mean?

22 A Well, I think combined with the hysteria
23 from the 77th precinct and the known activity that myself
24 and all my crew was involved in being at this point the
25 only one left was really me. Everybody else had either

1 quit the job or was transferred out into different areas.

2 Q And that was one of the reasons why people
3 stayed away from you, other cops, when you first returned
4 to the 75th precinct?
5

6 A Well, they didn't know why these people
7 were no longer on the job. They thought maybe I had
8 ratted them out or things of that nature.

9 Q So in other words, your reputation as a
10 corrupt cop was so well known at that point that people
11 thought the only way you could still be on the job was if
12 you were working with IAD?

13 A Correct.

14 Q Did you eventually get a new partner after
15 you returned to the 75th precinct?

16 A Yeah. Yes, excuse me. After a lot of, it
17 was quite a while. It was probably about eight months.
18 It took me about seven or eight months to get a new
19 partners, maybe even longer.

20 Q This new partner have been -- who was this
21 new partner?

22 A Kenny Eurell.

23 Q Did you form a pact with Kenny Eurell
24 similar to the pact that you had formed with previous
25 partners?

1
2 A Yes, we did. We had the same agreement as
3 the others.

4 Q Could you tell us about the agreement that
5 you reached?

6 A Well, it's funny because he did what they
7 called the Dowd test on me, and he went into a bodega and
8 picked up a couple of beers, and he drank them with me
9 just to let me know that he was letting his guard down a
10 little bit. And we sat in the car, and we agreed after
11 this little toast that we wouldn't hurt each other and
12 that it's time to do some work together.

13 Q And by work together you mean engage in
14 acts of corruption together?

15 A Yes.

16 Q Did you come to any agreement about the
17 seriousness of the acts of corruption that you would
18 commit together at this point in your career?

19 A The hysteria from the 77th precinct had
20 waned now. You're talking about an eight-month period,
21 maybe a nine-month period. And all the hysteria had
22 gone, and the way it was portrayed in the press was
23 basically these guys were being arrested and prosecuted
24 for minimal charges and minor offenses. We were
25 astounded that I personally and my whole crew never had

1 the same thing happen to them.
2

3 But we didn't want to take that risk again and
4 go back into the same what I'll call petty offense type
5 crimes. So we were looking for bigger opportunities to
6 make money.

7 Q Could you tell us during your first few
8 months together, what kind of acts of corruption were you
9 and your partner engaging in before you went into the
10 bigger and better, as you put it, acts of corruption?
11 Were you testing each other out even with the corruption?

12 A Well, it was the testing period. That's
13 one of the instances that I alluded to with Mr. Mollen on
14 the burglary at the house, one of my lowest forms of
15 corruption I ever did where the woman called her mother
16 and I took the money out of the house.

17 Q And you split that money with your
18 partner, is that what you said?

19 A Yes.

20 Q And that was a way to show him, to use
21 your phrase, that you were good?

22 A Yeah. Well, what had happened was the day
23 before we had missed \$11,000 in another house, and he
24 thought I was setting him up. So I had to -- you know, I
25 felt desperate to prove to him that I wasn't setting him

1
2 up, and that's why I did that.

3 Q Were there any other acts of corruption
4 that you engaged in during this period where you were
5 testing each other out that you can share with the
6 Commissioners?

7 A Yeah, well, there was like the one where
8 we were racing to the job. We, I, him, together we knew
9 the rare jobs were the good ones, and from that one
10 instance where we were able to take the narcotic, the bag
11 full of narcotics out right past the sergeant and put it
12 in the car. That was a good score at the time --

13 Q That's the Pine Street example you gave
14 before?

15 A Yes.

16 Q You said you were racing to the job. Was
17 it coincidence that you were racing to the job?

18 A No coincidence.

19 Q Trying to be the first officer on the
20 scene?

21 A Yes. That's why I was racing there.

22 Q And why was that?

23 A Because I knew it would be a good job. I
24 knew it would be a money job.

25 Q So you could get first dibs?

1
2 A Yes.

3 Q Any other acts during your first few
4 months together that you and your partner committed? Do
5 you recall an incident at Sunnyside?

6 A Yeah. Well, there was an incident where,
7 if I'll describe for the panel the actual scenario. My
8 partner and I were in the precinct. It was the beginning
9 of a 4 to 12 tour. A young woman had come up to my
10 partner and told him that they just did a drug raid on
11 this location on Sunnyside and that the officers that did
12 the raid missed some money that was in the ceiling of the
13 home. So he related the message to me, and we discussed
14 that we would go back there that night -- right, I'm
15 sorry. We were doing a midnight tour. We weren't doing
16 a 4 to 12. We would go back there and try and get in,
17 see if we could get the money that the detectives missed.

18 And what we did was we called up a guy who had
19 quit the job and asked him to be there with us, and we
20 made him like an undercover detective. He put his bogus
21 shield out and his gun and he went in with us. We
22 basically did a burglary on duty of this house looking
23 for the money in the ceiling.

24 Q How did you do it? Were you calling
25 central at any time? What happened?

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1
2 A No. What happened was we prearranged that
3 we would just go there and do it, and, of course, we were
4 on duty, and we had the radios, so if any call came over,
5 we would be able to cover. And eventually a call did
6 come over.

7 Q And what happened?

8 A Well, while we were in the house, someone
9 called 911. Now we thought we took care of that by
10 knocking on all the doors and telling them the police are
11 here and we're going to do a search warrant on this
12 house. But one of the individuals must have had the
13 music on too loud, and he didn't hear us knocking on the
14 door, so we assumed no one was home.

15 And we went in, and after about five minutes in
16 the location, I guess a lot of noise was being made, the
17 guy upstairs must have woke up. And what had happened,
18 he was scared. He thought they were coming into his
19 apartment. He didn't know who it was. So he climbed
20 over the building to the neighbor's house, and he was
21 calling from the neighbor's house.

22 So on the radio we were asking central who's
23 making the complaint. We're 84, we're on the scene.
24 Who's make the complaint? So central called back the
25 call back which is a number that she gets, and the call

1 back said -- I said we were 84, I'm sorry. I'm losing my
2 strength here. We said we were 84, there's no further
3 response necessary. With that, the guy called again.
4

5 So now it aroused the suspicion of a lot of
6 officers, and they all showed up on the scene, and we
7 happened to be downstairs in front of the place, we
8 weren't inside, and we said ah, there's some crazy guy
9 here must be calling the police for no reason. So
10 central located the guy on the phone. We went upstairs
11 and we met him, and he was there with his friend, and he
12 said officer, they're breaking in the apartment next
13 door. I told him will you stop calling the police, we're
14 here. There's no need to call the police. We've been
15 here for fifteen minutes. He said oh, he didn't know.
16 He's happy that we were there.

17 Q Did you make any money? Did you score at
18 that job?

19 A No.

20 Q Mr. Dowd, you said that you and your
21 partner had agreed that you were going to graduate to
22 more serious crimes at this point in your careers. Did
23 you accomplish that objective eventually?

24 A Yes.

25 Q How did you accomplish that objective?

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1
2 A Well, what had happened was, you know, we
3 had a very strong relationship with a local drug dealer.
4 His name is Mr. Perez.

5 Q And who is Mr. Perez exactly?

6 A Well, he was an owner of an automobile
7 music shop.

8 Q Was he also a major drug trafficker?

9 A That's a very hard question. He was
10 involved in drugs, yes.

11 Q And the significance of the relationship
12 then with Mr. Perez is this had marked the point in your
13 career where you had graduated away from street dealers
14 to more serious drug traffickers or drug organizations?

15 A Yes.

16 Q Okay. Can you tell us about how your
17 relationship with Baron Perez began to develop. In fact,
18 if you can educate us about how a New York City cop first
19 begins to develop a relationship with drug traffickers
20 like this.

21 A Well, it's like the relationship you would
22 develop with anybody in the street. That's how it starts
23 out. You say hello, how was your day, and you go from
24 here. In this situation, he happened to be standing
25 outside in front of his shop with a nice red Corvette,

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1 and you know, it caught our eye. There was an attractive
2 lady standing next to it. We stopped to say hello, talk
3 about the car, the girl, whatever was going on there.
4

5 And shortly thereafter, we had a line of
6 communication opened up, and he began inviting me for a
7 beer, I began inviting him for a beer. And then one
8 thing lead to another, and we became like buddies.

9 Q While you were becoming buddies, though,
10 was there an understanding that there was a lot that you
11 could do for each other?

12 A Well, it was obvious that his clients were
13 all major drug dealers, and that was one of the reasons
14 we were hanging around there.

15 Q Did you test out Baron Perez to see if you
16 could rely on him in the same way or in any way that you
17 had tested out your former partners?

18 A Well, we had given him that bag of drugs
19 that we took from Pine Street.

20 Q So he was the way that you fenced or got
21 rid of the drugs from Pine Street?

22 A Yes.

23 Q And after that you knew that you could
24 work together?

25 A Yes. I mean, we just didn't simply hand

1
2 it to him. We knew before that point that he was good.
3 He wasn't going to hurt us. There's a lot that goes to
4 doing that. You just don't hand it to somebody. You
5 have to have the respect and fear and intimidation that
6 has to go all with it. It's just not simple.

7 Q Could you explain that to us.

8 A Explain it. They know we're police
9 officers. They know we're armed with guns, and if they
10 were going to do any damage to us by whether our career
11 or physically, they know that they would have to pay the
12 price as well. It would be the first draw, and it was
13 basically stated that way.

14 CHAIRMAN MOLLEN: Mr. Dowd, were you in uniform
15 at all those times?

16 A Yes.

17 CHAIRMAN MOLLEN: In police uniform. Can we
18 have a timeframe for when this happened as well, Mr.
19 Dowd?

20 A Timeframe in year?

21 CHAIRMAN MOLLEN: Yes.

22 A 1987.

23 CHAIRMAN MOLLEN: Thank you.

24 Q So your relationship with Baron Perez
25 begins to develop in 1987, is that correct?

1
2 A Yes.

3 Q He gets rid of drugs for you. What was
4 the first major job that you did through Baron Perez
5 around this time?

6 A He had a drug dealer come to him who was
7 looking for some kind of protection around the 4th of
8 July weekend in 1987. So what had happened was Baron,
9 him and I and Baron were there, and we discussed a few
10 things. A few things transpired. And Baron came to me
11 and said listen, the guy really wants to pay you money to
12 protect his business. I said I understand, but there's
13 really not much I could do for him. I'm a patrolman in
14 the blue and white. What can I tell him?

15 He's a smart guy, this Perez, he says just lie
16 to him, and I said all right, we'll lie to him. So he
17 says he want to know if he's safe for the 4th of July
18 weekend, so I used my knowledge of the Police Department,
19 not that many narcotics officers are working on 4th of
20 July weekend. If they are, they're on details, you know,
21 Central Park or the boats are coming in or whatever.
22 Beaches are packed with cops. So I said yeah, you're
23 safe for the weekend. It's a good weekend.

24 Q Based on your common knowledge, nothing
25 else, common sense?

1 A Yeah. I had no information.

2 Q When you say protecting, could you explain
3 for the Commissioners what you meant by protecting.

4 A Well, they think you're going to give them
5 protection, like if there's a raid going down, you'll
6 know. If there's cars in the area that are about to do a
7 raid, you'll be able to tip them off. That's protection.

8 Q Did you get paid for giving this drug
9 dealer common sense knowledge?

10 A Yeah, i got paid.

11 Q How much did you get paid?

12 A I don't know whether it was \$7,000 or
13 \$8,000.

14 Q Uh huh. Tell us how were you protecting
15 him that weekend. Were you on duty when you're
16 protecting him?

17 A No. I was home in my yard having a
18 barbecue.

19 Q Okay. Did you get all the \$8,000?

20 A No, he shorted us a little bit.

21 Q So what did you do?

22 A So we sat on his location for about two
23 weeks.

24 Q Where's his location? Was that out of
25

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1
2 your sector?

3 A About three miles from my sector.

4 Q Three miles out of your sector. So what
5 did you do to ensure, use your authority as a New York
6 City cop to ensure that you get paid?

7 A I started harassing his business.

8 Q So you're sitting on location. In
9 uniform?

10 A Yep.

11 Q While you were on duty?

12 A Yes.

13 Q In your RMP?

14 A Yes.

15 Q At a drug prone location for over two
16 weeks?

17 A Well, off and on for two weeks.

18 Q Off and one for a period of two weeks.
19 Mr. Dowd, did any supervisor say to you, Dowd, what are
20 you doing three miles out of your sector?

21 A No.

22 Q Did anyone ever say to you, hey, Dowd,
23 where've you been for the last two weeks? Any of the
24 supervisors in your sector?

25 A No.

1
2 Q Was this the first time that you had used
3 your authority as a New York City cop to sit on a drug
4 location in uniform in your RMP to intimidate a dealer
5 into paying you money that he owed you?

6 A Yes, it was the first time.

7 Q It was a first. Was it your last?

8 A No.

9 Q After that, did you and Mr. Perez reach an
10 agreement, so to speak, about what you could do for each
11 other?

12 A Yes.

13 Q Could you tell us about that was there any
14 --

15 CHAIRMAN MOLLEN: Mr. Dowd, before you do that,
16 when you said he shorted you, what amount of money did he
17 give you?

18 A I don't remember if it was \$6,300 or
19 \$7,300. It's seven years ago, eight years ago.

20 CHAIRMAN MOLLEN: But you were expecting
21 \$8,000, is that it?

22 A Yes.

23 CHAIRMAN MOLLEN: At the end of the two weeks,
24 did he make up the difference or --

25 A Yes.

1
2 CHAIRMAN MOLLEN: -- did you have a discussion?

3 A No, he made it up. There was a lot more
4 to it, sir. Some idle threats went. There was a lot to
5 it.

6 Q But the Chairman raised a good point. By
7 using your authority and intimidating him and then
8 sitting on his location, you eventually got paid?

9 A Yes.

10 Q You were telling us about the agreement
11 that you reached with Baron Perez.

12 A Yes.

13 Q Was there an agreement as to payment?

14 A Yes.

15 Q How much were you going to get paid?

16 A Well, my partner and I were to get \$8,000
17 a week from a different organization.

18 Q So you're basically on a retainer to the
19 drug traffickers, for this drug organization?

20 A Yeah.

21 Q And what was the arrangement for pickup of
22 the payment?

23 A Well, to go to Baron's shop and pick up
24 the money.

25 Q So you'd go to Baron's shop which was a

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1 drug location at this point, is that correct?

2 A I don't personally know.

3 Q Was he trafficking drugs through that
4 location?

5 A Yes.

6 Q So you went to that drug location in
7 uniform?

8 A Yes.

9 Q To pick up \$8,000 in cash?

10 A Yes.

11 Q Every Tuesday?

12 A Every Tuesday.

13 Q Did anyone ever stop you and ask what you
14 were doing every Tuesday in uniform going to this drug
15 location?

16 A No.

17 Q Mr. Dowd, the services that you were being
18 so generously for derive solely from the fact that you
19 were a New York City police officer?

20 A Yes.

21 Q And is it accurate that if not for your
22 badge and your uniform, that you could never have made a
23 cent from Baron Perez and the other drug traffickers?

24 A It's pretty accurate.

25

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2 Q Mr. Dowd, could you enlighten? What can a
3 patrol officer like yourself or any patrol officer offer
4 to drug organizations that could be worthy of such a
5 price tag?

6 A There's two different types of things you
7 can offer them. One would be intangible things, and then
8 there would be the tangible things.

9 Q Why don't we start with the intangibles?
10 Explain that if you could.

11 A All right. Intangibles would be a drug
12 dealer would be able to brag amongst other drug dealers
13 that he's got a cop on his payroll and that would give
14 him a lot of respect in the drug world. By getting
15 respect, that would give him power amongst other drug
16 dealers to leave i'm alone, not to compete with him,
17 various things of that nature that would come with that.
18 He'd have juice.

19 Q And by juice you mean power?

20 A Yeah.

21 Q Power to rival drug dealers.

22 A Right.

23 Q And that power came from the fact they had
24 a New York cop on their payroll?

25 A Yes.

1
2 Q What about the tangible benefits, Mr.
3 Dowd? Could you tell us about that.

4 A Well, tangible benefits, see, you're
5 talking about being able to, if you come across
6 information, to tip him off with it. Also, you're able
7 to put pressure on his other drug dealers that are giving
8 him competition in the neighborhood.

9 Q Let's stick with the information if we
10 could for a moment. Tell us about that. Was the
11 information that you were providing to these drug
12 dealers, was it real or was it again common sense like
13 you mentioned before?

14 A Well, most of it was even imagined, but
15 some of it was real.

16 Q Was most of it imagined you mean?

17 A Yes.

18 Q And you were getting paid even for the
19 imagined information you would provide.

20 A Yes.

21 Q But there was no way of them ever knowing
22 that the information was imagined or not, is that
23 correct?

24 A No. Because if you tell him there's going
25 to be a bust today, and they close their shop up, and

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1 they don't get busted, they feel they won.

2 Q So you were always safe?

3 A Right.

4 Q You had a stream of income guaranteed even
5 from fabricating information that they'd never know
6 about.

7 A Right.

8 Q What about real information, Mr. Dowd?
9 Did you ever provide these drug traffickers with real
10 information?

11 A On one specific occasion I was able to
12 save their day.

13 Q Could you tell us about that.

14 A I was working the sector that I normally
15 work, and his business happened to be at this time in
16 this sector that I normally work, and I saw an undercover
17 agent in the neighborhood about a block or two away from
18 his store. And I happened to pull up alongside and ask
19 him what's up. You know, agents are pretty tight lipped,
20 and for good reason. He says ah, nothing much. He says
21 we got something going on. I said oh, yeah, and I asked
22 him where, and he said around the corner. That's all he
23 would say. Now there's four different ways to go around
24 the corner, but I knew that there was six drug spots on
25

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1
2 the corner, around the corner, the one where my employer,
3 you want to call him, was located.

4 Q One of the employers that you were
5 protecting?

6 A Yes.

7 Q Getting paid for protecting?

8 A Right.

9 Q Okay. So what did you do with that
10 information that this agent that wasn't tight lipped in
11 this instance gave to you?

12 A Well, I figured I had nothing to lose by
13 telling him that he might be getting busted, so I went
14 into the store. I parked the car across the street, I
15 walked across, my partner sat in the car, I went inside,
16 I picked up two Heinekens, I walked to the counter, I
17 made a hand motion like this to the guy behind the
18 counter. I mouth the word close. I took the two beers,
19 put them in a bag, and walked out.

20 Q So even though you know that that
21 location, the location and the area are under
22 surveillance by agents, law enforcement agents, walk into
23 one of those locations in uniform, give him a sign, walk
24 out with two beers?

25 A Yes.

1 Q Were you afraid at the time?

2 A Yeah.

3 Q But you did it anyway?

4 A Yeah.

5 Q Why was that?

6 A The guy was paying me \$8,000 a week.

7 Q So it made it worth your while.

8 A Yep.

9 CHAIRMAN MOLLEN: Did they raid the store after
10 you left?

11 A Shortly thereafter.

12 Q Can you tell us about that. The Chairman
13 raises a good point. What happened after that?

14 A Well, I left because I knew the area was
15 hot. I knew what I had done was bad, and I knew that if
16 there was a raid and it was that location, I didn't want
17 to be around to see it. So they came, and you know --
18 mind you that, I hate to minimize things, but I did make
19 sure that they had no guns or anything like that in the
20 location. I told them straight up, no guns in your
21 location because I didn't want any agents or anybody
22 getting hurt because I still was a police officer. Even
23 though it doesn't seem that way at times, I still had my
24 heart there half the way.
25

1
2 Q I just want to clarify. So was that
3 location ultimately raided?

4 A Yes, it was.

5 Q And as a result of the information, sign
6 that you had given them, what happened? Was the raid
7 thwarted?

8 A Yes. They found nothing.

9 Q Because they knew to discontinue any --

10 A Right.

11 Q -- operations at that time.

12 A Correct.

13 Q So you were able to thwart that raid.

14 A Yes.

15 Q Did a single supervisor ever come up to
16 you and ask you about the fact that you pulled up in your
17 RMP just about the time this raid was supposed to take
18 place, walked in, gave them a sign, and a few minutes
19 walked out with two Heinekings?

20 A No.

21 Q No one questioned you about that at all?

22 A No. I was surprised. I was actually
23 waiting to be questioned. I thought I was maybe caught on
24 tape somewhere. I was surprised.

25 Q And what message did that send to you at

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1
2 that point that not a single supervisor in the Department
3 ever asked you a question about that incident?

4 A Well, I don't know. It was obvious that
5 they didn't do anything. I don't -- it was obvious they
6 couldn't catch me or they couldn't do anything. I don't
7 --

8 CHAIRMAN MOLLEN: Do you whether the undercover
9 cop saw you go into the place before the raid took place?

10 A The one that I had spoken to?

11 CHAIRMAN MOLLEN: Yes.

12 A 'Case there's usually dozens of them
13 around. The one I had spoken to didn't see me go in.

14 CHAIRMAN MOLLEN: You don't know whether some
15 other undercover --

16 A I'm sure there was undercover around.
17 They were probably surveilling the place constantly.

18 Q Mr. Dowd, did these drug organizations
19 that you were protecting ever want you to protect them
20 not only from law enforcement but to use your authority
21 as a New York City cop to protect them from rival drug
22 dealers?

23 A Yes.

24 Q Could you tell us about that, please.

25 A Well, when you say protect them from rival

1 drug dealers, you know, it was more or less the
2 competition. They wanted us to keep pressure on them.
3 So what we would do, there was times when we would, like
4 I had said earlier, we'd camp out in front of their
5 stores so that they couldn't do business.
6

7 Q By camping out you mean you'd be in your
8 RMP?

9 A Yeah.

10 Q In uniform?

11 A Yeah.

12 Q While on duty?

13 A Right.

14 Q Okay, continue.

15 A We would also sometimes have the guys that
16 used to be on the job would come in, and they'd pressure
17 them. They'd go in and make believe they were Brooklyn
18 North Narcotics, do a fake raid on the place, and we'd be
19 outside in the radio car.

20 Q Do a fake raid on them. What would you
21 do?

22 A I'd be there to back them up, you know, in
23 the car. I wouldn't have to go in. They just went in
24 there to show that there was force and that, you know,
25 they'd leave a message overtly or not about what they

1
2 were doing. Whether they were putting pressure on the
3 Diaz organization or not.

4 Q Diaz organization being a competing rival
5 drug organization?

6 A Ri -- well, Diaz organization is the
7 organization that was paying me.

8 Q One of the organizations that was paying
9 you, is that right?

10 A Right.

11 Q Any other ways you were able to use your
12 authority as a New York Cit cop to protect rival drug
13 dealers and to earn you paycheck?

14 A Well, I was able to maybe put paperwork in
15 on other locations. In other words, intelligence
16 reports, and through those intelligence reports, I would
17 be able to put a little legitimate pressure on the other
18 organizations through narcotics raids.

19 Q What kind of pressure were you trying to
20 put on them? What were you trying to accomplish with
21 that pressure?

22 A Well, I wanted there to be less
23 competition or at least cooperation amongst them.

24 Q In terms of pricing you mean?

25 A Yes.

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1
2 Q So it was a sense of price control as
3 well.

4 A Yes.

5 Q You were trying to establish your
6 authority as a cop.

7 A Right.

8 Q Mr. Dowd, are you familiar with the phrase
9 riding shotgun?

10 A Yes.

11 Q Could you tell us what that means.

12 A Oh, riding shotgun simply would be
13 guarding somebody as they transport drugs or money or
14 whatever it happens to be.

15 Q Did you ever ride shotgun for any drug
16 traffickers?

17 A That I can recall, I did it once.

18 Q So what you mean by that then once when
19 you're in uniform I assume?

20 A Yes.

21 Q In your RMP?

22 A Right.

23 Q You were following drug traffickers to
24 protect them in case law enforcement stopped them?

25 A Well, for two reasons. One was for other

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1
2 officers wouldn't stop them, and the other one was for
3 other drug dealers, keep them from being robbed.

4 Q How else were you assisting the drug
5 traffickers at this stage in your career? Were you ever
6 assisting them in finding specific spots or drug
7 locations?

8 A Yes. Well, what had happened was after
9 the raid went down that I was able to thwart, about seven
10 days later, they were raided again, and they were
11 arrested, several of the people inside. And I had told
12 the owner of the business, I said listen, how much more
13 can I do for you. This is crazy. You got to move. So I
14 ended up knowing a guy who was selling a bodega, and I
15 suggested they move there. It was a better, more
16 secluded location.

17 Q And they really couldn't question. If you
18 said that a location was hot, they would never question
19 that given your authority.

20 A No.

21 Q Given your inside knowledge that they
22 assumed you had.

23 A Well, I mean, I was out there eight and a
24 half hours a day. I know what spots were hot and which
25 weren't.

1
2 Q Based upon your testimony today, is it
3 fair to say that you were a fairly central figure to
4 these drug organizations?

5 A Well, they looked to me for a lot of
6 information.

7 Q Looked to you, let's see, based on your
8 testimony as to when they could deal drugs, is that true?

9 A Yes.

10 Q Where they could deal drugs, is that true?

11 A Yes.

12 Q In some instances how they could deal
13 drugs, is that true? Safely.

14 A Yes.

15 Q So is it fair to say then that you were a
16 pretty central figure for these drug traffickers? They
17 looked to you to tell them how they could survive? How
18 they could make money?

19 A Yeah. The evidence points that way.

20 Q Mr. Dowd, were there ever any other police
21 officers that were assisting you in your efforts with
22 these drug traffickers?

23 A Yes.

24 Q Could you tell us about that?

25 A Well, there was my partner who was a

1 central figure to anything I did. There were -- many of
2 the officers in the precinct knew we were doing things,
3 and they would be willing to help us at any cost.
4

5 Q What do you mean by that?

6 A What do I mean? They wanted to be around
7 us. They wanted to know what was going on and how they
8 could get in on it.

9 Q Were these all the cops in your precinct
10 that wanted to get in on it or were there a certain group
11 of cops?

12 A It was basically the cops that worked with
13 us.

14 Q How many cops you talking about?

15 A Now this is two years later, so it's about
16 another ten or fifteen different cops.

17 Q So now we're in 1987, right?

18 A The end of '87, the beginning of '88.

19 Q And you're saying there were ten to
20 fifteen other cops that were working with you?

21 A When you say working with me, that's
22 different. I don't --

23 Q Let me ask you. You just made reference
24 to ten or fifteen cops assisting you. Could you explain
25 to us what you mean by that.

1
2 A Well, they knew that we needed
3 information. If they had any information, they would
4 give it to us. If they knew of a location that was doing
5 some business, they would tell us.

6 Q And what was in it for them?

7 A Well, they were hoping to score points
8 with us so that we could put them on the dole out, you
9 know, give them money, show them how to make money.

10 Q Was this a way for them to get in? Now
11 they weren't helping you with your major drug
12 organizations, is that what you're saying?

13 A No, no.

14 Q So they were helping you giving you tips
15 to try to get on your good side?

16 A Yes.

17 Q With the hope that maybe one day they can
18 graduate into assisting you with these drug traffickers?

19 A Well, what had happened was they took over
20 the petty stuff most of them.

21 Q Because you had graduated now into doing
22 more serious crimes.

23 A That's correct.

24 CHAIRMAN MOLLEN: Could you tell me and the
25 other Commissioners about your feeling and your reaction

1
2 to the fact that, indeed, you weren't questioned and you
3 weren't in any way caught during the course of all these
4 dealings. Did that, for instance, somehow emboldened you
5 to do more in this area? Did you feel free about what
6 you were going to do?

7 A First of all, there was times when I was
8 shocked that I got away with so many of these things.
9 Also, mind you, I was becoming heavily addicted to
10 cocaine and alcohol, so my inhibitions were down and some
11 personal problems I'd been going through too. So all
12 that combined, it certainly shocked me. I don't know how
13 sometimes I showed up for work.

14 Q Mr. Dowd, we'll get to your drug addiction
15 in a few moments. What about the non-corrupt cops in
16 your precinct at this time? Did they know what you were
17 up to?

18 A Yes.

19 Q They knew that you were working for drug
20 traffickers?

21 A Look, they're cops. They have an idea.
22 They don't have to come out and say they know things. A
23 cop's a cop. They can read.

24 Q And despite that, did a single officer
25 ever say to you, Dowd, I know what you're up to, you

1 better cut it out.

2 A No.

3 Q Did they even suggest they knew you were
4 up to?

5 A They were afraid to say anything.

6 Q Even the honest cop?

7 A Yes.

8 Q Even though they knew you, as a corrupt
9 cop, were making their life more difficult on the job?

10 A I guess so. They never said anything to
11 me.

12 Q Why would that be? Why would even the
13 honest cops remain silent?

14 A They don't want to ruin their career as
15 being labeled a rat.

16 Q And so the fear of being labeled a rat was
17 so powerful that even the honest cops would remain
18 silent.

19 A Yep.

20 Q Were they ever trying to thwart your
21 efforts in any way, Mr. Dowd? The honest cops or the
22 other cops that you weren't working with during your
23 years you were working with these drug organizations?

24 A No.

25

1
2 Q Were they actually assisting you in any
3 way? What are you saying?

4 A Sometimes they would.

5 Q How would that come about?

6 A Well, I'll give you an example. Like a
7 guy would be honest, he's an honest cop. He's not taking
8 money, he's doing his job, but he knows that I'm taking
9 money or whatever I'm doing at the time. And maybe he
10 would tip me off that the boss wants summonses written
11 over at this location. It happens to be my friends spot.
12 He'll tell me, look, Mike, the boss is ordering me to go
13 over there and give summonses out. So this went on for,
14 in one instance, for about a week until finally the
15 lieutenant himself had to go out and give the summonses
16 out.

17 Q Lieutenant himself had to go give out the
18 summons because the other cops refused to do it because
19 it was one of your locations?

20 A Yeah.

21 Q So by 1987, Mr. Dowd, you're fairly deeply
22 entrenched in the narcotics trade n the 75th precinct, is
23 that accurate?

24 A Yes.

25 Q Were you still engaging in the more minor

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1
2 kinds of corruption, I hate to use the word minor, but
3 shaking down drug dealers, that kind of corruption that
4 you were engaging in in your early days in the 75th
5 precinct?

6 A If an opportunity came along where it was
7 a big enough score, yes. But for the little stuff, no.

8 Q You really just basically at this point
9 graduated just to the more serious crimes.

10 A Right. If I had to recant, I probably
11 couldn't recant one incident, but I'm sure there was.

12 Q You mentioned your drug use a few moments
13 ago, Mr. Dowd. Was your use of drugs getting heavier at
14 this point in your career?

15 A I'll say.

16 Q I'll say. Could you tell us about that.

17 A I was using drugs heavily.

18 Q On the job?

19 A Yes.

20 Q In uniform?

21 A Yes.

22 Q While you were in duty, you're saying?

23 A Yes.

24 Q What kind of drugs you taking about?

25 A Cocaine and alcohol.

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1
2 Q Were you trying to conceal your use of
3 drugs and alcohol on the job?

4 A In the beginning I did.

5 Q What about later on?

6 A Well, I used to do it off the dashboard.

7 Q Off the dashboard?

8 A Yeah.

9 Q The dashboard of your RMP?

10 A Yeah.

11 Q You'd do lines of coke off the dashboard
12 in your RMP when you were on duty

13 A Yes.

14 CHAIRMAN MOLLEN: Would that be in front of
15 your partner?

16 A Yes.

17 Q Was he doing it with you?

18 A No.

19 Q Were you aware of any other cops were
20 using drugs while they were on duty, Mr. Dowd?

21 A I can't say. It's possible.

22 Q Did a single supervisor ever question you
23 about your use of drugs during your time in the 75th
24 precinct?

25 A No.

1
2 Q You said you were drinking. You made a
3 reference to drinking on the job, is that correct?

4 A Yes.

5 Q How often were you drinking on the job at
6 this point in your career?

7 A Every day.

8 Q How much?

9 A Depends what I was drinking.

10 Q What I mean is were you visibly drunk
11 while you were on duty at this point in your career?

12 A Sometimes.

13 Q Did anyone, again, a supervisor ever stop
14 you and say, Dowd, I know you're drinking on the job, cut
15 it out?

16 A No one every said that to me.

17 Q Did a single cop ever say to you, Dowd,
18 you're on duty, you're in uniform? What are you doing
19 drinking on the job?

20 A Not at this point.

21 Q Were there other police officers that were
22 drinking on the job as well at this time?

23 A That's probably why they never said
24 anything.

25 Q Give us a sense of what you mean by that?

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1
2 How many police officers are drinking on the job on duty
3 while in uniform during this time in the 75th precinct?

4 A Well, I don't know their drinking habits,
5 but certainly there was a good eight to ten every day
6 drinking on the job with us.

7 Q And, Mr. Dowd, do you base it on your
8 personal knowledge?

9 A Yes.

10 Q Based on your personal knowledge that you
11 witnessed eight to ten cops drinking on the job?

12 A Dozens of cops drinking all day long,
13 witnessing, it depends where, what time. They drink all
14 day long.

15 Q Were any of these cops ever driving an RMP
16 while they were under the influence of alcohol?

17 A Yes.

18 Q And that was a regular occurrence?

19 A They were working.

20 Q Mr. Dowd, were or the other cops trying to
21 do anything to conceal your alcohol consumption at this
22 point in your career?

23 A Yeah, we'd put a breath mint in maybe.

24 Q Breath mint. How would you do it? How
25 could you drive around in your RMP's drinking beers

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1 without anyone ever stopping you? Was there a trick,
2 secret?

3 A How does anybody drink and drive?

4 JUDGE EVANS: Mr. Dowd, when you would be
5 taking cocaine off the dashboard, did your partner ever
6 try to dissuade you in any way or try --

7 A No, no. He was happy when I did the coke
8 because he know I got in a better mood. He knew I'd be
9 able to concentrate more, and, you know.

10 JUDGE EVANS: Mr. Dowd, during this period of
11 1987 to 1988, did you ever perceive what you thought to
12 be representatives of Internal Affairs around maybe
13 surveilling any of your activities?

14 A There may have been one or two occasions.

15 JUDGE EVANS: And did you take any steps when
16 you thought you saw someone from Internal Affairs
17 following you or your crew during that period?

18 A There was no steps to take. Went about
19 our regular day.

20 JUDGE EVANS: Did you ever get any tips from
21 any fellow officers within or without your precinct
22 during the period of 1987 and '88 about possible IAD
23 supervision, I mean surveillance?

24 A Well, look, oftentimes they're known to be
25

1 in the precinct. I mean, you know, they're known to be
2 there. In other words, someone saw them that day, we
3 know they're there for us, so we'd just be careful that
4 day.
5

6 JUDGE EVANS: So from time to time, there was
7 at least at a report that they were around, and you took
8 suitable action or perhaps I should say inaction on that
9 day.

10 A Not necessarily. We just were more
11 cautious.

12 JUDGE EVANS: Thank you.

13 CHAIRMAN MOLLEN: In the precinct was there a
14 PBA delegate assigned to the precinct?

15 A Yes.

16 CHAIRMAN MOLLEN: Was that so in every
17 precinct?

18 A Yes.

19 CHAIRMAN MOLLEN: Did you ever have any
20 discussions with the PBA delegate or did he ever discuss
21 with you the fact that you were drinking on the job or
22 using drugs on the job?

23 A No. Most of them were drinking too.

24 CHAIRMAN MOLLEN: Can I go back to the woman
25 who complained about your having stolen her gun. There

1 was a statement you made and maybe I misunderstood it
2 about you weren't sure whether she even made it to the
3 desk. Could you explain that to us.
4

5 A Well, what had happened was I had heard
6 that she came to the precinct to make a complaint.
7 Someone had told me that a woman came into the precinct
8 making a complaint that we had stolen her gun. Nobody
9 comes in and complains that you stole their gun.

10 CHAIRMAN MOLLEN: Why is that?

11 A Because it was an illegal possession. She
12 didn't have a license for it. I was shocked, just as
13 well as everybody else was and says she's crazy.

14 Q Mr. Dowd, let's go back --

15 CHAIRMAN MOLLEN: Miss Cornfeld, just a moment.
16 Mr. Dowd, during the course of your testimony you
17 indicated that police officers learned about your
18 activities and they would tip you off and do you favors.

19 A Yeah.

20 CHAIRMAN MOLLEN: How many police officers were
21 involved in your activities or were a part of your team
22 or your group?

23 A At what point, sir?

24 CHAIRMAN MOLLEN: When you were riding shotgun
25 for drug dealers or --

1
2 A '87/88 time, I would say --

3 CHAIRMAN MOLLEN: Yes, during that timeframe.

4 A There's a distinction of being actually
5 involved with me and being supportive of me. Involved
6 was just me and my partner in that one specific thing.
7 But there was other officers that were basically frothing
8 at the mouth to be involved, so they'd do anything to
9 assist us.

10 CHAIRMAN MOLLEN: They would assist you, they
11 wanted to be a part of your activities?

12 A Yes.

13 CHAIRMAN MOLLEN: And how many officers
14 indicated to you that they were interested in joining
15 with you and your activities?

16 A Ten to fifteen at least.

17 CHAIRMAN MOLLEN: Ten or fifteen?

18 A Yeah.

19 Q But you didn't let all of them in, did
20 you, Mr. Dowd?

21 A No. I told them to go wear out some shoes
22 first and we'll talk.

23 Q And why was that you didn't want to let
24 that larger group of police officers involved in your
25 activities with the drug traffickers?

1
2 A Because I'd have to split up the money
3 with them.

4 Q Mr. Dowd, let's go back to the 75th
5 precinct now. The time's around 1987. Based on what
6 you've testified to over the last hour, you were a pretty
7 busy man in the 75th precinct. You were using your
8 authority as a police officer daily to assist narcotics
9 enterprises, is that correct?

10 A Yes.

11 Q You're selling narcotics on the side, is
12 that correct?

13 A Yes.

14 Q You were using drugs and alcohol daily?

15 A Yes.

16 Q And you're making whatever money off the
17 job you could?

18 A Yes.

19 Q My question at this point, Mr. Dowd, is
20 how did this affect your ability to be a New York City
21 police officer?

22 A I did the job I could do.

23 Q Did the job you could do, but let me ask
24 you this, Mr. Dowd. How many arrests did you make after
25 your return from Coney Island in the 75th precinct?

1
2 A I don't believe I made any.

3 Q How many times have you testified in court
4 after you returned to the 75th precinct?

5 A I don't recall testifying in court.

6 Q How fast were you responding to radio runs
7 if there wasn't money to be made at the other end?

8 A Not very quickly.

9 Q And how often were you off post?

10 A Quite often.

11 CHAIRMAN MOLLEN: Mr. Dowd, you said a few
12 seconds ago that when you came back to the 75, you did
13 not make any arrests?

14 A I believe that to be correct.

15 CHAIRMAN MOLLEN: Did any superior officer ever
16 ask you why you were not able to effect any arrests?
17 Apparently that was a fairly high crime area.

18 A No. They were happy that I wasn't making
19 arrests because it wasn't costing the City any money.

20 Q So, Mr. Dowd, given that you've made no
21 arrests, you're not testifying in court, you're not
22 responding to radio calls very quickly, most good part of
23 your is off post, you're drinking daily on the job, using
24 drugs n the job, and most of your energies, you said
25 before, are focused on increasing the powers of these

1 drug traffickers. Let me ask the question another way.
2 At this point in your career, did you consider yourself
3 to be a New York City cop or a drug trafficker?
4

5 A Both.

6 MR. ARMAO: Mr. Chairman, I think this might be
7 a good time for the Commission to adjourn for lunch. We
8 will resume within one hour about five past --

9 CHAIRMAN MOLLEN: We'll take a forty-five
10 minute recess. We'll resume at 1:45.

11 (Whereupon a luncheon recess was taken.)

12 MR. ARMAO: I guess before proceeding, I'd like
13 to remind Mr. Dowd that he's still under oath.

14 CHAIRMAN MOLLEN: You bear that in mind, Mr.
15 Dowd. You may proceed.

16 Q Thank you, Your Honor. Mr. Dowd, just
17 before break you had testified that it was unclear in
18 your mind by your last years in the 75th precinct whether
19 you considered yourself to be a cop or a drug trafficker.
20 I wanted to explore the reason why that was just briefly.
21 By late 1987, how much money were you making a week from
22 your narcotics activities?

23 A Anywhere between \$4,000 and \$5,000.

24 Q Between \$4,000 and \$5,000?

25 A Yeah. For myself.

1
2 Q By late 1987, how much money were you
3 making a week from your New York City paycheck?

4 A About \$400.

5 Q So you were making almost ten times as
6 much money from your criminal activities at this time
7 then you were from the paycheck you were receiving from
8 your Department, is that correct?

9 A That's correct.

10 Q How important was that New York City
11 paycheck to you at this time?

12 A Well, I used to forget to pick it up.

13 Q Who did you consider to be your primarily
14 employer, in fact, at this point, Mr. Dowd -- the
15 Department who gave you your shield or the drug
16 traffickers who were willing to pay you because of it?

17 A That's a very difficult question to answer
18 straight out. I enjoyed being a police officer believe
19 it or not.

20 Q You enjoyed it.

21 A Yes.

22 Q You enjoyed it because of the power that
23 it gave you?

24 A I guess that's one aspect. I enjoyed
25 being a police officer. I actually enjoyed the rare

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1 moments when I did help somebody, I enjoyed it.

2 Q You enjoyed the money that you were making
3 off the job as well I assume?

4 A Yes.

5 Q Let me rephrase the question now. At this
6 point who did you feel that your allegiances to as a New
7 York City police officer -- the community you were
8 supposed to be policing or the drug traffickers you were
9 protecting?

10 A I guess I'd have to say the drug
11 traffickers.

12 Q Could you speak into the mike, please.

13 A The drug traffickers.

14 Q What about your lifestyle at this point,
15 Mr. Dowd? Were you leading the life of a typical New
16 York City cop?

17 A I did the best I could to make it look
18 that way.

19 Q You did the best you could to make it look
20 that way. Could you tell the Commissioners and the
21 public what kind of car you were driving around this
22 time.

23 A '87 Corvette.

24 Q How many homes did you own?

25

1 A Four.

2 Q What kind of clothes were you wearing at
3 this time?

4 A Expensive.

5 Q And what kind of vacations were you
6 taking?

7 A Many.

8 Q And is that the kind of life that most New
9 York City police officers were able to lead based upon
10 the paycheck they were getting?

11 A No.

12 Q I think that answers the question. Did
13 you try to conceal your lavish lifestyle from the others
14 in your precinct to try to avoid raising their
15 suspicions?

16 A In the beginning. After a while I lost
17 control of myself. I lost control of my life.

18 Q So they saw you in the red Corvette in
19 other words?

20 A Yes.

21 Q They say the kind of clothes you were
22 wearing, the life you were leading?

23 A Yes.

24 Q And how did these other cops react to
25

1 that?

2
3 A Well, they saw the exterior part of me,
4 and what they saw, they liked, and they tried to cling to
5 me.

6 Q I'm sorry?

7 A They tried to cling to me. They
8 chaperoned themselves around me. They wanted to know
9 what I was doing. They wanted to be part of it.

10 Q Who wanted to be part of it exactly?

11 A Whoever knew me.

12 Q Well, let's try to clarify that a bit.
13 You were talking about (tape ends), correct?

14 A Yes, mostly the young ones.

15 Q So you're talking mostly about the younger
16 cops, the rookies?

17 A Well, the older cops that were there had
18 their own things going, so they really weren't
19 interested.

20 Q What are you saying to us? Are you saying
21 that you were a hero to the rookies?

22 A In a lot of ways, yes.

23 Q And how did that manifest itself?

24 A Well, they would help me, they would
25 protect me, they would give me information, they would

1
2 come to see me, they would -- I don't know if it was out
3 of fear, respect, whatever.

4 Q Fear, respect, or both?

5 A Yeah.

6 Q Were you giving them any tips on how to
7 become a corrupt officer at this point?

8 A Well, they all wanted a piece of the
9 action, and like I indicated earlier, that I didn't let
10 them into that because I knew it was wrong for one
11 reason, and the other reason was I didn't want to share
12 with them. I sent them out into other endeavors.

13 Q You didn't want to share the profits you
14 were making meaning to the other drug traffickers?

15 A Yes.

16 Q You said before they were giving you
17 information. What did you mean by that, that the rookies
18 were giving you information?

19 A Well, like they would tip me off if they
20 saw narcotics guys in the precinct. They would tell me
21 that there was maybe a suspicious looking car, like an
22 Internal Affairs car around. It was like a brotherhood,
23 you got to understand. Regardless of what I was doing
24 wrong, I was still there with them when they needed me,
25 and they needed me plenty.

1
2 Q Did you make it worth their while to give
3 you this kind of information?

4 A Did I make it worth their while?

5 Q Uh huh. Did you give them any money?
6 Were you sharing any profits?

7 A No.

8 Q Mr. Dowd, this time in your career was
9 there any question in your mind as to whether the police
10 officers and supervisors in your precinct knew what you
11 were doing each day when you reported to work in uniform?

12 A Was there no doubt?

13 Q Was there any question in your mind that
14 they knew what you were doing each day when you reported
15 to work?

16 A They knew what I was doing.

17 Q And despite that, did a single cop ever
18 say to you, Dowd, I know what you're up to? It's wrong,
19 cut it out.

20 A No.

21 Q Did a single precinct supervisor ever once
22 say to you, Dowd, I know what you're up to? Shape up or
23 you're out of this Department.

24 A No.

25 CHAIRMAN MOLLEN: Over how long a period of

1
2 time would you say that set of circumstances existed, Mr.
3 Dowd?

4 A Oh, it began back in late '85, early '86.

5 CHAIRMAN MOLLEN: And lasted until when?

6 A At that one location, it probably lasted
7 till I went to rehabilitation in 1988.

8 CHAIRMAN MOLLEN: How long was that?

9 A Was what?

10 CHAIRMAN MOLLEN: How long was that period of
11 time when everybody actually knew and nobody did
12 anything?

13 A Two and a half, three years.

14 CHAIRMAN MOLLEN: Thank you.

15 Q Mr. Dowd, by late 1987, you're riding
16 high. You've testified that you're making lots of money
17 off the job, \$4,000 a week, and you were a hero to many
18 of the rookies in your precinct. When did that end?

19 A Well, it ended, like I had just said to
20 the Chairman up there, that I went to an alcohol
21 rehabilitation program.

22 Q I'm sorry, Mr. Dowd.

23 A When I went to an alcohol rehabilitation
24 program.

25 Q Well, get to that, your experiences there

1 in a few moments. After the alcohol rehabilitation
2 program, did you ever return to the 75th precinct after
3 that?
4

5 A No.

6 Q So that would have been around March 1988
7 when you left the 75th precinct?

8 A Yes.

9 CHAIRMAN MOLLEN: Mr. Dowd, did your superiors
10 in the 75th precinct know that you were riding around in
11 that year model red Corvette and that you had four homes?

12 A Yes.

13 CHAIRMAN MOLLEN: Did anyone ever question you
14 as to how you were able to afford that kind of lifestyle?

15 A No. Just small talk with other officers.
16 They wanted to know how I did it.

17 Q Mr. Dowd, during your five years in the
18 75th precinct, is it fair to say that you graduated from
19 quick scores to drug trafficking and other serious
20 crimes?

21 A Yes.

22 Q Is it fair to say that you'd gone from
23 being an occasional drug user to drug addict and an
24 alcoholic?

25 A That's an accurate description.

1
2 Q Records indicate that this was no secret
3 to the Department. By the time you left the 75th
4 precinct, you already accumulated several corruption
5 allegations against you. My question is this, Mr. Dowd,
6 at this point in your career weren't you afraid you'd be
7 caught?

8 A No.

9 Q Apparently, you had some reason, there was
10 some basis for your confidence in that area. I'd like to
11 turn briefly now to your final evaluation in the 75th
12 precinct. The year would be 1987. Before I turn to
13 that, I'd like to ask you, Mr. Dowd, if you were a
14 supervisor in the 75th precinct by the end of 1987, how
15 would you have rated someone like yourself as a police
16 officer?

17 A Below standards.

18 Q And is that because in 1987 you reached
19 the height of your career as a corrupt cop?

20 A That's one of the reasons.

21 Q Is it also because you made zero arrests
22 that year or any of the previous years?

23 A Yes, but I don't think the supervisors use
24 that as a tool.

25 Q Might it also be because you were drinking

1 and using drugs almost daily on the job?

2 A That I know for a fact, so that would be
3 personally, yes.

4 Q Well, let's turn to what your supervisor
5 said in the 75th precinct when they were asked to
6 evaluate you in 1987 because your opinions about yourself
7 seem to differ. The supervisor that rated you at the end
8 of 1987 didn't rate you below standards, but rated you as
9 meeting standards, and in some categories that are now
10 shown in this exhibit, they rated you as above standards.

11 This is the evaluation that the Mollen
12 Commission received when they asked the New York Police
13 Department for your personnel files, and your rater said
14 the following: That the officer has excellent street
15 knowledge. Relates well with his peers. He's empathetic
16 to the community. This officer would excel within the
17 New York Police Department and easily become a role model
18 for others to emulate if he maximized his inner drive to
19 fulfill the job responsibilities to the fullest. In
20 lower case, the supervisor said must improve attendance
21 and arrest activity. But then in all caps ended it by
22 saying good career potential.

23 Mr. Dowd, did you see this evaluation in late
24 1987?
25

1
2 A Yes.

3 Q And what did you think about that?

4 A I was happy.

5 Q What message did getting an evaluation
6 like this after the year that you had in 1987 have upon
7 you? What message did it send to you as a corrupt police
8 officer?

9 A I felt I could do just about anything.

10 Q I'm sorry, we didn't understand.

11 A I could do just about anything and get
12 away with it.

13 Q After the 75th precinct, you said that you
14 went to alcohol rehabilitation, is that correct?

15 A Yes.

16 Q Can you tell us about that?

17 A That I went to alcohol rehabilitation?

18 Q Yes. Could you tell us about your
19 experiences there. Did you tell that you had a cocaine
20 problem when you went there?

21 A Yes.

22 Q And what did they tell you?

23 A Don't tell us that.

24 Q Could you expand upon what you were told.
25 First of all --

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1
2 CHAIRMAN MOLLEN: Mr. Dowd, is it a police
3 regulation that if a police officer is discovered to have
4 used any kind of hard substance on any given occasion,
5 that is a basis for immediate dismissal?

6 A Yes, that's true.

7 Q So in 1987 you go to the rehab clinic.
8 Could you tell us what you told them and what they told
9 you in response.

10 A Well, they had known, it was pretty well
11 known before I even got there that I was heavily using
12 cocaine, and when I had gotten there, they said before
13 you say a word, they had a Department psychologist there,
14 and I believe a supervisor was right outside the room.
15 And the Department psychologist said you can't talk to me
16 about any kind of drug problems. If you have them, you
17 have to keep them to yourself. We're not allowed to deal
18 with that in this department. So go off to this rehab
19 and do your best.

20 Q And you went off to the rehab clinic?

21 A Yes.

22 Q And you were a cocaine addict at that
23 point, is that correct?

24 A Yes.

25 Q And did the alcohol rehabilitation program

1
2 in any way help your drug problem?

3 A Temporarily.

4 Q Mr. Dowd, based on your personal
5 knowledge, is it the normal practice of the New York
6 Police Department to send cops with drug addiction
7 problems to alcohol rehabilitation programs?

8 A Yes.

9 Q And why do you think that is?

10 A Because they're not allowed to send them
11 to drug rehabilitations or they'd be fired.

12 Q So what's the impact of that on cops with
13 drug problems?

14 A It's like a revolving door. Cops are
15 currently surrendering for alcohol problems every couple
16 months, and they go right back, the same cycle. It's a
17 cycle

18 Q And is that based on your personal
19 knowledge?

20 A Well, I did it three times in one year.

21 Q We'll get to the other instances in a few
22 minutes, but it's based on your personal knowledge.

23 A I've seen other officers do the same
24 thing.

25 Q Where were you assigned after the alcohol

1
2 counselling program?

3 A Motor transport division.

4 Q And is that known as a dumping ground?

5 A It's a place where they send people for
6 injuries on line of duty where they can't perform a
7 normal function. That specific place, you could call it
8 a dumping ground.

9 Q You were on restricted duty at this point?

10 A Yes.

11 Q And you were there for a few months, is
12 that correct?

13 A Yeah, I was there for about six months.

14 Q Where were you assigned after that?

15 A The Whitestone pound.

16 Q And this would have been approximately
17 October 1988?

18 A Yes.

19 Q Could you tell the Commissioners and the
20 public what the Whitestone pound is exactly.

21 A The Whitestone pound is a place where the
22 New York Police Department brings most of their arrest
23 evidence, vehicles, and the rotation tow operators tow
24 their recovered cars from the street that may have been
25 stolen and recovered by them to this location. They're

1
2 dropped off there, and we warehouse them, inventory them
3 and warehouse them.

4 Q And what kind of police officers are sent
5 to the Whitestone pound?

6 A Most of them would be, we have little
7 nicknames, drunks, murderers, rapists, things like that.

8 Q And that's the collection of police
9 officers that would be at the Whitestone pound?

10 A That's correct.

11 Q Were the corruption opportunities there
12 presumably more limited than they were in the 75th
13 precinct?

14 A Somewhat.

15 Q But did you, nonetheless, find ways to
16 engage in corrupt activities and to make money off the
17 job even at the Whitestone pound?

18 A Yes.

19 Q Could you tell us about that, please.

20 A Well, of course, it was much less. There
21 was no caches of drugs and money to be found unless you
22 found a good car, which I didn't.

23 Q When you say unless you found a good car,
24 could you explain what you mean by that.

25 A Well, sometimes there could, and it's

1
2 happened in the past where cars have come in with loads
3 of drugs still in them and/or money.

4 Q And what would you do when that happened?

5 A Well, I didn't do it, but I know what I
6 would have done.

7 Q Oh, you were looking for it?

8 A Yes.

9 Q But you never had the opportunity, you
10 never found actual drugs or money?

11 A That's true.

12 Q So could you give us a sense the kind of
13 corruption that occurred at the Whitestone pound?

14 A Well, you could make money off of tow
15 truck drivers by soliciting -- people come in to pick up
16 their cars, and when they come in to pick up their cars
17 they need a tow truck to take them to maybe Jersey or
18 Long Island or maybe upstate New York. The further the
19 ride, the more the tow would be, and you tell the tow
20 guy, you know, he has to kick back to you a little bit.

21 Q And did you receive many kicks backs?

22 A Yes.

23 Q Were you seeking out these opportunities?
24 Were you creating these opportunities to make money at
25 the Whitestone pound?

1
2 A Yes. I wasn't the only one.

3 Q Just before we get to that. Were you
4 creating the opportunities at all there though to make
5 money?

6 A Yes.

7 Q Could you give us an example of that.

8 A Well, it's a little humorous, a little
9 crude. But we used to leave the lights on in some cars
10 so that their batteries would go dead, and then the
11 people would ask for a jump.

12 Q And they'd tip you?

13 A Yeah.

14 Q Mr. Dowd, did you invent these corrupt
15 acts at the Whitestone pound or were these long-
16 established traditions that you learned about once you
17 got there?

18 A I didn't invent anything.

19 Q Were you acting alone when you were at the
20 Whitestone pound and carrying out these corrupt acts?

21 A No. There was about six or eight of us.

22 Q Six or eight. So is it fair to say --

23 A In our crew, in our group.

24 Q In your group.

25 A Right.

1
2 Q By group do you mean crew?

3 A Yeah.

4 Q So is it fair to say that just as in your
5 early days at the 75th precinct when you got to the
6 Whitestone pound you began to develop your own crew?

7 A Well, it wasn't my development. It was a
8 cohesiveness.

9 Q And were they also engaging, based on your
10 personal knowledge, where they also engaging in these
11 corrupt acts you mentioned at the Whitestone pound?

12 A I learned them from them.

13 Q Were you using drugs when you were at the
14 Whitestone pound, Mr. Dowd?

15 A Yes.

16 Q While you were on duty?

17 A Yes.

18 Q Were you the only police officer using
19 drugs on duty at the Whitestone pound?

20 A No.

21 Q Other police officers were engaging in the
22 use of drugs with you?

23 A Yes.

24 Q Were you selling drugs when you were at
25 the Whitestone pound?

1
2 A Yes.

3 Q To whom?

4 A To cops.

5 Q To cops at the Whitestone pound?

6 A Yes.

7 Q Cops anywhere else?

8 A Yes. Other precincts.

9 Q And were you selling narcotics to
10 civilians as well at this time?

11 A Yes.

12 CHAIRMAN MOLLEN: Mr. Dowd, where were you
13 receiving the drugs from that you were selling?

14 A Well, I would go back into East New York
15 during my lunch hour and come back to the pound.

16 CHAIRMAN MOLLEN: To see Mr. Perez and people
17 of that kind?

18 A Yes. The same connections that I had in
19 East New York.

20 Q So you were maintaining your relationship
21 then with the drug traffickers of the 75th precinct?

22 A Yes.

23 Q But, Mr. Dowd, what value could you have
24 been to people like Baron Perez and other drug
25 traffickers when you were stuck in the Whitestone pound?

1
2 What information could you give them that might be of any
3 value?

4 Q Well, there was little things you can
5 give. You can give locations because what happens is the
6 vouchers comes in with all the addresses on them. If
7 it's a drug dealer's car, it was a big drug arrest, you
8 had the drug dealer's name, address, phone number, his
9 date of birth, his wife's name, whatever's on there.

10 A And you'd give that information to the
11 drug traffickers in the 75?

12 A Yes.

13 Q Hope maybe they could take advantage of
14 that information.

15 A If they take advantage of that, then maybe
16 I can get a little piece back from that.

17 Q Mr. Dowd, I have to ask if you could speak
18 up a little. It's becoming a little difficult to hear
19 you. Could you just repeat what you said.

20 A I would give them the information. If was
21 able to take advantage of it, he would give me some money
22 in return.

23 Q At this point, Mr. Dowd, excluding your
24 New York City paycheck, how much money were you making
25 off the job?

1
2 A Well, you say off the job. It was really
3 basically narcotics selling. About \$1,000 a week, \$1,500
4 a week.

5 Q And would that have been then from your
6 activities at the Whitestone pound and the sale of drugs
7 to police officers and civilians?

8 A Yes.

9 Q Mr. Dowd, given the types of officers that
10 you testified were at the Whitestone pound and given the
11 acts of corruption that you said you all regularly
12 engaged in, where were the supervisors?

13 A They were there. They were there.

14 Q And what were they doing?

15 A Well, some guys were making their
16 schedules for their referee league. Some guys were doing
17 tax returns. Other guys were locked in their office.
18 Look, we did the job that was asked for us to do. These
19 guys, you know, as long as we were doing the job, they
20 let us go untamed.

21 Q They what?

22 A They let us go untamed as long as we were
23 getting the job done.

24 CHAIRMAN MOLLEN: Do you consider what you were
25 doing getting the job done?

1
2 A Well, sir, the work at hand was simple,
3 vouchering cars and putting them at their location at
4 this time.

5 CHAIRMAN MOLLEN: Was that equally true of the
6 people who were supervisors in the 75th?

7 Q No. Their task was much more difficult.

8 CHAIRMAN MOLLEN: But they, too, didn't do
9 anything about the activities that you were involved in?

10 A No.

11 Q So in other words, as long as you were
12 performing or producing the basic minimums that would be
13 expected from you, you're saying the supervisors would
14 basically close their eyes to other acts of corruption
15 you might be committing?

16 A That's one way of looking at it.

17 Q Mr. Dowd, you testified earlier that you
18 were using drugs at the Whitestone pound fairly regularly
19 and at times openly. Did there come a time during this
20 period where the Department tried to test yo for drugs?

21 A Yes.

22 Q Could yo tell us about that.

23 A Well, whine the day came up, I checked
24 myself into an alcohol rehab.

25 Q Mr. Dowd, again I want to urge you to

1
2 please speak into the microphone.

3 A When the day came up for the drug test, I
4 checked myself into an alcohol rehabilitation.

5 Q And did you tell them that you had a drug
6 problem?

7 A Yes.

8 Q And what did the counsellor and the
9 supervisor who's an officer tell you to do?

10 A What happened was he told me to go outside
11 and make believe you were drunk, drink, and when you come
12 in tell the supervisor here that you were drinking all
13 night and that you're back on the wagon.

14 Q So the supervisor advised you to go out
15 get drunk so that they could then have a reason for
16 admitting you into the alcohol rehabilitation program.

17 A That's correct.

18 Q Once again, showing you that a drug
19 addiction was not a basis for getting help in the
20 Department?

21 A That's correct.

22 Q Now did you go to the alcohol
23 rehabilitation program as a way of circumventing a drug
24 test?

25 A That's why I went.

1
2 Q And did the supervisor who instructed you
3 to get drunk and then come back understand that he or she
4 was helping you to accomplish that objective?

5 A This one wasn't a supervisor. This was
6 just another police officer who worked in the counselling
7 unit.

8 Q What would have happened if you had taken
9 the drug test at that time, Mr. Dowd? This would have
10 been around 1988.

11 A Which one?

12 Q I'm sorry?

13 A Which one? There were several tests in
14 1988.

15 Q What would have happened if --

16 A I would have failed, that's for sure.
17 That's why I went to the alcohol program.

18 Q You would have failed.

19 A Yes.

20 Q And what happens when an officers fails a
21 Dole test?

22 A They get fired.

23 Q And that was four years before your
24 arrest?

25 A Yes.

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1
2 Q Do you know whether it's common for police
3 officers to circumvent drug tests or these kind of
4 schemes?

5 A Yes.

6 Q Yes, it's common?

7 A Yes, it's common.

8 Q Mr. Dowd, before we wrap up this segment,
9 was there any other occasion around this time when the
10 Department tried to test you for drug use?

11 A Yes.

12 Q And were you once again able to circumvent
13 the test?

14 A Yes, I was.

15 Q Could you tell us how you did that.

16 A Well, I warned not to come back and ask
17 for help by the counsellors because they themselves
18 admitted that they were enabling me.

19 Q Enabling you, you mean, to continue your
20 career of corruption on the job?

21 A In combination with my abuse of alcohol
22 and drugs. And because of that, the fear of losing my
23 job, I circumvented the test by strapping a mustard jar
24 under my arm with a fish tank tube taped to my waste, and
25 when I urinated, I squeezed the urine out of the tube.

1 Q Out of the mustard job, you mean?

2 A Yes.

3 Q Mr. Dowd, what was the result of that
4 test?

5 A I lasted another two, three, four years.

6 Q So you passed the test?

7 A Yes.

8 Q Mr. Dowd, what would have been the result
9 of that test without the creative use of a mustard
10 bottle?

11 A I would have been fired. I would have
12 failed the test and been fired.

13 Q Several years before your final arrest?

14 A Yes.

15 Q In fact, Mr. Dowd, if you had been tested
16 for drugs at any point during your last years in the 75th
17 precinct and you had not been permitted to circumvent the
18 drug test, what would the result have been?

19 A There would have been a positive Dole
20 test, and I would have been fired.

21 Q But you were able to circumvent it each
22 time, is that accurate?

23 A Yes.

24 Q After the Whitestone pound, your were
25

1 assigned the 94th precinct in February of 1990, is that
2 accurate?

3
4 A Yes. February.

5 Q Before you're questioned in that area, I
6 have one final question. At this point, you had been in
7 the Department for approximately eight years, is that
8 accurate?

9 A Yes.

10 Q You've committed hundreds of acts of
11 corruption.

12 A Yes.

13 Q Dozens of police officers and supervisors
14 know just what you're up to when you report to work each
15 day, is that right?

16 A That's correct.

17 Q You testified that you had a serious and
18 visible drug and alcohol problem, is that correct.

19 A Yes.

20 Q And at this time you said you were living
21 a lavish lifestyle with little effort to conceal it, is
22 that accurate?

23 A Yes.

24 Q Mr. Dowd, my question is this. At this
25 point in your career, were you surprised that you were

1
2 still a New York City cop?

3 A Shocked.

4 EXAMINATION BY

5 MR. ARMAO

6 Q In fact, Mr. Dowd, in February of 1990,
7 when you were transferred to the 94th precinct, were you
8 aware that there were twelve separate corruption
9 allegations outstanding against you being conducted by
10 the New York City Police Department?

11 A No.

12 Q Were you aware during that time that you
13 were under surveillance by investigators of the Field
14 Internal Affairs Unit?

15 A At times.

16 Q Did you see them at times?

17 A Yes.

18 Q And despite all of these things which you
19 just told Miss Cornfeld with regard to your career up to
20 this point, you were, in fact, in February 1990 restored
21 to full duty, were you not?

22 A Yes.

23 Q And once again assigned as a patrol
24 officer in a Brooklyn precinct?

25 A That's correct.

1 Q Where were you assigned, Mr. Dowd?

2 A I was assigned to the 94th precinct.

3 Q What area of New York City does the 94th
4 precinct cover?

5 A Greenpoint, Brooklyn.

6 Q Could you tell the Commissioners what were
7 the circumstances of your transfer.

8 A Well, I had actually ben transferred for
9 one hour on paper back to the 75th precinct, so when I
10 found out an hour after that that I was transferred to
11 the 94th precinct, it was pretty obvious they didn't want
12 me in the high crime precinct any longer.

13 Q So in other words, given the fact that the
14 investigations were failing, they were going to transfer
15 you to a precinct where they thought you wouldn't have
16 corruption opportunities.

17 A That's the way it appears.

18 Q But they were wrong, weren't they, Mr.
19 Dowd?

20 A That's true.

21 Q Mr. Dowd, when you arrived at the 94th
22 precinct, did you have a conversation with the commanding
23 officer of that precinct?

24 A Yes.

1
2 Q In sum and substance can you tell the
3 Commissioners what you were told by the commanding
4 officer?

5 A He told me that he knows my past, that he
6 doesn't know how to tell I'm still on the job, but I'm
7 here, he's stuck with me, and if he catches me out of
8 line, he's going to bury me.

9 Q So you were given a warning. Was it your
10 impression at that point that the reason you were
11 assigned to the 94th precinct because you were going to
12 be placed under much stricter supervision by supervisors
13 and commanders than you had been before, is that right?

14 A Well, coupled with the fact that it was a
15 much slower precinct, I knew that would be the case.

16 Q Did you happen to be assigned to a
17 particular sergeant who you later learned had a
18 reputation for being a very strict disciplinarian?

19 A Yes, I was.

20 Q Mr. Dowd, what kind of a precinct was the
21 94th precinct? How did it compare to the 75?

22 A The 94th precinct was a joke compared to
23 the 75th precinct.

24 Q You're going to have to repeat, Mr. Dowd.

25 A A joke. There was no work involved

1 compared to working in the 75th precinct. It was an easy
2 day.

3 Q Very slow day, in other words, low volume
4 radio runs.

5 A Low volume, plenty of spare time.

6 Q What about the nature of the precinct?
7 Did it have a very visible narcotics trade?

8 A No, it wasn't very visible. There was only
9 two really known locations.

10 Q What sort of establishment populated the
11 94th precinct community?

12 A Business, factories. It was a working
13 class community with pretty much full employment, things
14 like that.

15 Q And when you arrived at the 94 precinct,
16 did you eventually receive a steady partner?

17 A Yes.

18 Q Once again, as you had done before, were
19 you able to solicit your partner in engaging in
20 corruption?

21 A I think that's a safe assumption to make,
22 but it was a mutual understanding. I don't always like
23 for being blamed for everything.

24 Q I understand. Mutual understanding, how
25

1
2 did that mutual understanding arise?

3 A The basic, have a couple of drink and talk
4 things over.

5 Q Had you ever met this police officer
6 before?

7 A No.

8 Q How was it that you generated the
9 confidence to approach him about engaging in corruption
10 together?

11 A Well, he was arrested for murder on duty,
12 and he knows what the wrath of the job can bring upon
13 you, and I was under so many different investigations at
14 different times, we both had clouds over our head and no
15 one would work with us.

16 Q Was the 94 precinct known as a place where
17 discipline problems were sent?

18 A Yes.

19 Q How did you come to find out about your
20 new partner's background? Was it just word in the
21 precinct?

22 A Word in the precinct and his own words
23 himself.

24 Q So what sort of agreement did you
25 establish with your new partner?

1
2 A Well, it took a while. It's not something
3 that happens overnight. We just decided that after we
4 started working together steady that whatever comes up is
5 good with us.

6 Q Now when you're in a different environment
7 like the 94 that's populated by legitimate business
8 establishments, factories, as you've described, with very
9 low volume of narcotics activity, how ere you able to
10 find new opportunities for corruption?

11 A Well, I really started to use the job
12 itself to create those opportunities.

13 Q Could you explain to the Commission how
14 you did that.

15 A Well, like we had said earlier in this
16 discussion, making money doesn't always mean bringing
17 home money, may mean getting things for free or cheap or
18 highly discounted. I'll give you an example. If you go
19 to a burglary, say it's factory, the guy will say, well,
20 you know, there was half a million dollars worth of stuff
21 taken. I'm exaggerating the numbers just for the
22 example. And meanwhile maybe there was only a hundred
23 thousand dollars worth of stuff taken. So you know and
24 he knows it, but you fudge up the report, and he's able
25 to get a bigger insurance claim. So he takes care of

1
2 your, whether it be, you know, he tells you, if it's a TV
3 place, take a TV or a VCR or whatever he has, whatever
4 his goods are.

5 Q So in return for payment, you conspire
6 with a business owner in order to exaggerate an insurance
7 claim?

8 A Sure.

9 Q What about the automobile industry? Did
10 that provide an opportunity for corruption for cops in
11 the 94?

12 A Yes.

13 Q Now, Mr. Dowd, I'd like you please very
14 generally to describe the schemes in which police
15 officers can engage in, based on your first-hand
16 knowledge, with people in the automobile industry in
17 order to gain illicit profits.

18 A Well, the way I guess we would describe
19 taking advantage of that situation would be if you arrive
20 at an accident scene, and as many of the people in the
21 city know, the tow trucks race there at 150 mph to get a
22 job. Well, by securing a job for a favored tow company,
23 you can get a good size kickback from the job.

24 Q Is there an ordinary percentage of
25 kickback that's sort of known in this practice?

1
2 A 10 to 15 percent.

3 Q So in other words, if I have a very
4 expense vehicle that gets in a collision on Greenpoint
5 Avenue --

6 A Yes?

7 Q -- what do I do as a citizen? How do I
8 know what tow truck company, what collision place it
9 should go to? Do you come along and suggest a tow truck
10 company, is that how you do it?

11 A Well, he may. The person is usually in a
12 very distraught frame of mind, and they need help, and
13 you're there to help them.

14 Q And you suggest to them what company they
15 should use?

16 A There's several that I might suggest.

17 Q And once that tow truck company is
18 employed, and it costs me \$5,000 to have my vehicle
19 repaired, what does the police officer receive in return?

20 A Oh, at least \$500.

21 Q And how do you collect that money,
22 directly from the tow truck operators?

23 A In the shop.

24 Q From the garage that does the repairs?

25 A Yes.

1
2 Q Mr. Dowd, were you still addicted to
3 cocaine at the time you were assigned to the 94 precinct?

4 A Yes.

5 Q The rehabilitation programs that the
6 Department made available to you were not effective?

7 A I don't want to give them the whole blame,
8 but they never offered drug rehabilitation. I had to
9 continually hide it. Then they would do other things to
10 me like put me in front of drug houses and see if he
11 falls inside.

12 Q Was your use of narcotics while you were
13 assigned to the 94 precinct becoming more obvious and
14 more flagrant?

15 A One day I was called into a meeting with
16 the captain, and I was high, and he said to me, Officer
17 Dowd, if I ever catch you on drugs or using drugs, I'll
18 arrest you myself. I was high when I was talking to him.

19 Q Like in the days in the 75th precinct or
20 at Coney Island, do you believe it was apparent to your
21 supervisors at the 94th precinct that you had a serious
22 drug and alcohol problem at that time?

23 A I heard it from them.

24 Q In other words, they told you they knew
25 it?

1
2 A There were plenty of innuendos. They
3 often had even roll call meetings, at roll call meetings
4 they would talk about drug addiction and alcohol and he'd
5 look right at me. I knew he was talking to me anyway.

6 Q And I'd like to reiterate a question that
7 Judge Tyler asked you before, and that is, did anyone
8 during the time you were in the 94th precinct, from
9 February 1990 to May of 1992, offer you any assistance
10 through Department programs?

11 A No.

12 Q Now, Mr. Dowd, it's obvious from public
13 record that at the time besides engaging in personal drug
14 use, you were also continuing narcotics sales, is that
15 correct?

16 A That's correct.

17 Q Now you described the 94th precinct as an
18 area that had a very low volume of narcotics trafficking.
19 Nonetheless, were you able to find someone in the 94
20 precinct who would supply you with narcotics?

21 A Yes.

22 Q Was that a bodega located somewhere in the
23 94 precinct?

24 A Yes.

25 Q How did you manage to establish this

1 connection in such a low narcotics activity area?

2 A Well, the way you would formulate a
3 relationship with any businessman in the community, you
4 start talking and relating and discussing regular thing
5 that a police officer who wasn't corrupt would discuss
6 with him.

7 Q Sort of the way you did it with Baron
8 Perez?

9 A Exactly.

10 Q Once you had established this connection,
11 did you while on duty and in uniform frequent this bodega
12 for the purposes of narcotics trafficking?

13 A Yes.

14 Q Did you do that while with your partner?

15 A Yes.

16 Q Did you do that while you were in a marked
17 police radio car?

18 A Yes.

19 Q At this point, with the Commission's
20 permission, I would like to show a videotape, a
21 surveillance videotape that was conducted of Michael Dowd
22 and his partner on March 6, 1992.

23 (Whereupon a videotape was shown.)

24 Q Mr. Dowd, is that you in the radio car?

25

1
2 A Yes.

3 Q Are you in the passenger seat, sir?

4 A Yes.

5 Q Is the person who just approached the
6 radio car a known drug dealer to you?

7 A Yes.

8 Q You're meeting him in broad daylight on
9 the streets of Brooklyn?

10 A Yes.

11 Q Mr. Dowd, at this point, are you
12 discussing a narcotics transaction with that person?

13 A Part of it.

14 Q Mr. Dowd, is the bodega that we see in the
15 picture the bodega which was your drug supply connection?

16 A One of them.

17 Q Can you comment on why he was invited into
18 a New York City radio motor patrol car?

19 A Yeah. Because he's about to give me the
20 package to look at.

21 Q And by a package you mean a package of
22 drugs?

23 A Yes.

24 Q Could you tell us what are the
25 circumstances here.

1
2 A Well, a long discussion, we were talking
3 about the other individuals involved in the deal, and he
4 didn't tell me until about five minutes that he had it on
5 him, otherwise I would have had him in the car a lot
6 sooner.

7 Q So as soon as you knew he had the
8 narcotics on him, you got him into a police car in order
9 for you to conduct the drug transaction?

10 A No, the transaction was already completed.
11 I just wanted to sample it.

12 Q Did you sample those narcotics while you
13 drove him around in the police car?

14 A Yes.

15 Q Was this something that you did commonly?

16 A Yes.

17 Q Mr. Dowd, how frequently would you go to
18 this location while you were assigned to the 94 precinct?

19 A Well, I would go there four, five times a
20 day, but not for drugs.

21 Q Is it known to people within the precinct
22 to be a drug location?

23 A That wouldn't be fair for me to say. I
24 don't know.

25 Q Were you ever questioned why you spend so

1 much time in or around this bodega by any of your
2 supervisors?

3 A No, but I did have a run in with one of my
4 supervisors about an address next door, but not
5 necessarily a bodega.

6 Q As he exits the vehicle, have you already
7 sampled the goods?

8 A That was done a long time ago.

9 Q What's the conversation about now, do you
10 recall?

11 A No, I -- probably that he's going to meet
12 the guy. Some guy's supposed to come in and pick it up
13 from him. That's all.

14 Q While you were driving around with this
15 drug dealer, did you sample any of the cocaine while you
16 were in the car?

17 A Yes.

18 Q Mr. Dowd, did you do similar things, meet
19 drug dealers while in radio patrol cars while you were
20 assigned to the 75th precinct?

21 A Yes.

22 Q And while you were assigned to the
23 Whitestone pound, you answered the Chairman's question
24 that you would go back to the 75th precinct at your lunch
25

1
2 hour. Did you drive there in your red Corvette?

3 A Yes.

4 Q A rather distinctive car?

5 A Yes.

6 Q Did people in the 75, including
7 supervisors, know your car?

8 A Yes.

9 Q Were you ever once questioned why you were
10 in the 75th precinct during those hours in your red
11 Corvette?

12 A No.

13 Q What are you doing at this moment, Mr.
14 Dowd, with this drug dealer, do you recall?

15 A No, I don't remember.

16 Q Is it all, nonetheless, in an effort to
17 complete this drug transaction?

18 A Maybe preparing for another one, I don't
19 know.

20 Q Preparing for another one. Okay. I think
21 we've -- thank you very much.

22 Mr. Chairman, members of the Commission, I
23 would like to read a segment of a document that was
24 produced at this Commission's request regarding Mr. Dowd
25 and his partner's activities in the 94th precinct. As

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1
2 you just saw on the videotape, Mr. Dowd and his partner
3 in a Department vehicle were at a bodega which is a drug
4 location, speaking with a drug dealer, the drug dealer
5 gets into the vehicle in order to further a drug
6 transaction. In a 1992 report the Chief of IAD reported,
7 "That Dowd and his partner did nothing to telegraph their
8 activities."

9 CHAIRMAN MOLLEN: Mr. Dowd, may I ask you this.
10 You said that when you were in the 94 you engaged in a
11 number of corrupt or criminal activities. You mentioned
12 too one now with the drug dealing and also I believe you
13 talked about the tow truck. Now was there any other kind
14 of criminal activities you engaged in while yo were in
15 the 94?

16 A Well, there would happenchance on DOA's.
17 We would be able to take some property from DOA's.

18 CHAIRMAN MOLLEN: Their pockets while they were
19 lying there or their homes?

20 A Their homes, wherever.

21 CHAIRMAN MOLLEN: You mean when you get a
22 report of a DOA, you arrive at the premises, and you'd
23 find things lying around, is that what happened?

24 A Yes.

25 CHAIRMAN MOLLEN: And you'd take them, put them

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1
2 in your pocket?

3 A That's correct.

4 CHAIRMAN MOLLEN: You would not voucher them?

5 A That's correct.

6 CHAIRMAN MOLLEN: And when you arrived at DOA's
7 on the street, they had wallets or money in their
8 pockets, would you do anything about that?

9 A Well, yo know, sometimes. That would be
10 going too far. I don't know if I had those instances,
11 but it happened. But the neighborhood had a lot of
12 drunks in it, and we would occasionally roll them for
13 some money.

14 CHAIRMAN MOLLEN: Take money from them?

15 A Yeah.

16 CHAIRMAN MOLLEN: And other activities of that
17 nature while you were in the 94?

18 A There was a couple of times with car stops
19 where (tape change) -- intoxicated, he was more than
20 happy to fork over a couple of hundred dollars than get
21 arrested.

22 MR. ARMAO: Mr. Chairman, at this point,
23 obviously Mr. Dowd's testimony has raised a number of
24 overarching themes that this Commission has been
25 considering for the past twelve months. I'm not going to

1 ask Miss Cornfeld to begin a series of questions with
2 regard to these things.

3 EXAMINATION BY

4 MR. ARMAO

5 Q There'll be primarily three themes at this
6 point that we're going to cover. One is the Blue Wall of
7 Silence, two is supervision, and three is brutality in
8 the New York City Police Department. We'll start with
9 the Blue Wall of Silence.

10 Mr. Dowd, after hearing your testimony and
11 seeing the video that we've just seen, once cannot help
12 but wonder how the other cops in your command let you get
13 away with a career of corruption on the job. You
14 testified that the other police officers know what you
15 were up to, is that correct?

16 A Yes.

17 Q You did very little to conceal your
18 activities, is that correct?

19 A That's correct.

20 Q But despite that, of the fifteen
21 complaints that were filed against you during your ten-
22 year career, the Commission's investigation reveals that
23 no more than a handful could have possibly been from
24 police officers. Based on your personal knowledge, why
25

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1 weren't other police officers in your command turning you
2 n?

3 A Because I'm still a cop. Cops don't turn
4 in other cops.

5 Q Even honest cops?

6 A Cops don't want to be labeled at rats.
7 Cops depend on one another to survive out there.

8 Q Even when the person they're depending on
9 for survival is doing lines of coke in the RMP, is
10 drinking daily to the state that as you said you're
11 sometimes a fall down drunk, even then they remained
12 silent?

13 A Well, if I pulled you out of the middle of
14 a mix up one day where you couldn't handle yourself and I
15 was able to help you effect the arret, you'd shut your
16 mouth for me.

17 Q Mr. Dowd, do you think you could have
18 continued your career of corruption on the job without
19 this code of silence?

20 A No.

21 Q So you're saying the Blue Wall of Silence
22 is a necessary condition for police corruption in the
23 Department?

24 A Yes.
25

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2 Q I'd like to turn now from police officers
3 shutting their eyes to your claims throughout your
4 testimony today that supervisors were willfully shutting
5 their eyes to the acts of corruption of you and other
6 officers. Can you give us any specific examples of a
7 supervisor actually shutting his or her eyes to an act of
8 corruption they witnessed?

9 A Well, I could give you some minor ones.

10 Q Let me ask you if you remember an incident
11 where you removed any items from a store in a community?
12 Clothing perhaps.

13 A Yeah. My brain's a little dry right now.
14 Yeah, it wasn't a store, it was a factory, that's why I
15 was a little confused.

16 Q I'm sorry, Mr. Dowd?

17 A It was a factory.

18 Q Could you please explain that.

19 A Yeah. Well, the example would be I was
20 assigned to a radio run, an aided case. An aided case is
21 case where it's not a police emergency. Somebody called
22 for an ambulance, they assign the police to go. So I
23 took advantage of the time that was provided for me to do
24 this job to stop at a factory that produced clothing.
25 They made it there so I knew it would be very cheap. So

1
2 I went inside with my partner, and my partner and I were
3 able to convince the proprietor to give us a handful of
4 clothing each.

5 When we walked about outside the establishment,
6 and we were about to get into the radio car, we noticed
7 the sergeant was sitting down about forty feet away. So
8 we looked at each other, and we knew we were caught red
9 handed, but we figured give him an answer, like we
10 learned in the academy. Give him an answer, CYA.

11 So we told him that -- he said what are you
12 doing with this clothing, and I said well, it's the
13 holiday season coming up, and I purchased these for my
14 wife and my kids. So he said to me you purchased it, I
15 said yes. I said would you like me to go get a receipt.
16 He said no, no, no, as long as you're telling me you
17 bought it. I said yes, sarge, of course, I bought it.
18 Don't do it again, promise me. So I was able to load the
19 car with merchandize.

20 Q Was there any doubt in your mind that this
21 supervisor knew, in fact, that you had not purchased
22 these clothes?

23 A He knew. I gave him the right answer, he
24 was happy.

25 Q Was there any other incident involving the

1 supervisor within this time period?

2
3 A About two weeks later, the same sergeant
4 saw me coming out of a church. We were friendly with the
5 reverend n this church, and it was known as a place where
6 the people in the community would go for cheese and
7 butter and syrup and the whole federal package that they
8 give out to the needy. So my partner and I loaded up our
9 arms with boxes of goods, and we were bringing them out
10 to the radio car when I looked to my left and I saw a
11 brand new patrol car coming down the block, and the brand
12 new one's always the sergeant's, so I knew right away it
13 was the boss.

14 So I turned around and ran back into the
15 building, into the church with the cheese and whatever
16 else, butter, and when the sergeant passed, we were able
17 to load the car up and we brought it back to the precinct
18 and unloaded it in our car. So later on that day, I saw
19 the sergeant's operator, and I said to him, did you see
20 us. He said yeah. I said what did the sergeant say. He
21 said it's Dowd and his partner, close your eyes and keep
22 going.

23 Q Mr. Dowd, you suggested earlier that
24 supervisors at times actually facilitated your corruption
25 opportunities, and as you put it, helped you survive on

1 the job. That's a pretty powerful statement. Could you
2 give us a specific example of that.
3

4 A One time I was caught. I was caught in a
5 corrupt act, and what had happened was the individual
6 came into the precinct -- I wasn't caught, the guy came
7 to make a complaint, put it that way -- and what had
8 happened was I took half of his money. He wasn't too
9 happy, so he went to the precinct to make a complaint.

10 So when he got to the precinct, the word
11 travels very fast, and they knew what he was there for,
12 so the lieutenant on the desk told me that ten one the
13 precinct. Ten one means call the precinct. Well, I
14 happened to be a block and a half from the precinct, not
15 knowing that this was going on, I said how about I ten
16 two, which means come to the precinct. And he
17 emphatically told me no, no, ten one forthwith.

18 So I did that. I knew something was wrong at
19 that moment, and he told me what I knew I would hear at
20 that point, that there was a guy inside the precinct
21 making a complaint that I took about \$450 from him.

22 Q And by giving you the code and by telling
23 you not to go directly to the station house, what were
24 you able to do?

25 A Well, I was able to think of a story right

1
2 away, and I was able to confront the individual before he
3 made the complaint, and I was able to show him where he
4 left his money in his car.

5 Q But prior to the call that you got from
6 the supervisor, where was that money, Mr. Dowd?

7 A In my pocket.

8 Q And after you got the call, where was the
9 money? Where'd you put the money?

10 A It was in my pocket. I walked him back to
11 his car, and I showed him where it was.

12 Q And where was it at that point?

13 A Well, I put it under his seat.

14 Q Fine. So this is an example you're saying
15 of a supervisor giving you heads up, telling you before
16 you come in you better cover yourself and have a story.

17 A That's correct.

18 Q Mr. Dowd, I'd like to turn away from the
19 supervisor's power over officers, purported power, to
20 officer's power over supervisors. Did officers have any
21 power over supervisors at all? You've made some
22 references to that in your testimony today.

23 A Yes.

24 Q Could you tell us what you mean by that?

25 A Well, it was very difficult for a sergeant

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1 on patrol to be a supervisor of his men and yet still
2 survive amongst the ranks of them in the street when he
3 need help. It's a very difficult situation to be in when
4 you are a very strict, by the book supervisor.
5

6 Q And was anything that you could do to
7 discourage a supervisor from being a strict, by the book
8 supervisor?

9 A Plenty of things.

10 Q Could you give us some examples of the
11 plenty of things you could do, you and other officers
12 could do I assume.

13 A Well, when he called for help, you don't
14 show up.

15 Q Did you, in fact, do that?

16 A There were times.

17 Q Any other ways you can make strict
18 supervisor more lax?

19 A You make him handle your work.

20 Q And was this a common occurrence?

21 A That was probably the most effective way.
22 If you have a sergeant running from one end of the
23 precinct to the other, he'd be pretty tired real quick
24 and he'd get the picture.

25 Q Were you the only police officer in the

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1 precinct engaging in these acts?

2 A No. The whole precinct. If they don't
3 like a boss, he's going to have a hard time, an then if
4 he's got to meet his summons quotas, he's got another
5 harder time.
6

7 Q So what you're saying, Mr. Dowd, that one
8 of the ways that you were able to get away with a career
9 of corruption on the job by manipulating supervisors?

10 A That's pretty accurate.

11 Q By intimating them?

12 A At times.

13 Q I'd like to now focus not on police
14 officers powers over the supervisor, but on a police
15 officer's power over the community. Was feeling powerful
16 and looking powerful to the community important to you
17 and other police officers, Mr. Dowd?

18 A Yes.

19 Q Did the need to feel powerful ever
20 manifest itself in the excessive use of force or
21 brutality?

22 A Yes.

23 Q Was excessive use of force common on the
24 job?

25 A Yes.

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1 Q How common was it, Mr. Dowd?

2 A Very.

3 Q What do you mean by very?

4 A Almost daily.

5 Q What do you mean when you're saying almost
6 daily brutality? How violent are the acts that you're
7 referring to?

8 A (no response)

9 Q Do you need to take a moment?

10 A I'm thinking. Violence is violence.

11 CHAIRMAN MOLLEN: Mr. Dowd, can you describe
12 the circumstances, not so much the degree of violence
13 alone, but the circumstances under which violence would
14 take place?

15 A Well, there are several different types of
16 circumstances. During an arrest, you may see some
17 excessive force quite often. There are other times as
18 well.

19 Q And, Mr. Dowd, what would cause you or
20 other police officers to engage in the excessive use of
21 force? Give us some examples if you could.

22 A Well, if you like the term disrespect,
23 we'll use that term to describe a reason why cops would
24 use excessive force.
25

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2 Q So if someone in the community would show
3 disrespect, that could result in excessive use of force,
4 is that what you're saying?

5 A Yeah. They would get an attitude
6 adjustment.

7 Q Could you explain to us what you mean by
8 an attitude adjustment?

9 A They get a little beating.

10 Q I just like to make sure I understand what
11 would trigger these kinds of beatings or attitude
12 adjustments. Can you give us an example of someone
13 showing you disrespect? What would they have to do to
14 instigate a beating?

15 A Give you the finger, curse your mother,
16 curse you, spit on your radio car, run.

17 Q Look at you the wrong way?

18 A Sometimes.

19 Q And those are the kinds of things that
20 might result in a beating?

21 A Yes. Yes it would. I hate to explain,
22 but there's reasons behind everything.

23 Q Could you explain the reasons behind this?

24 A Oftentimes, people do that to the younger
25 officers because they know they're inexperienced and

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1 vulnerable. And if you're a senior officer and you
2 witness this -- people in the street know you are
3 different from a rookie officer immediately, and they
4 don't disrespect you like they would a rookie officer.
5 A rookie officer gets the abuse quite often, so if you're
6 a senior officer and you see a rookie officer being
7 abused, you show him what happens to people that abuse
8 you, and this is another way of gaining his trust.

9
10 Q Mr. Dowd, do you remember the first time
11 that you used force, excessive use of force or brutality?

12 A I think so.

13 Q Could you briefly tell us about that?

14 A Well, what had happened was I made an
15 arrest, I don't want to give a location, and the two
16 senior officers that were with me assisting me because it
17 was a violent confrontation, they showed me what you do
18 to people who give the police a violent confrontation.

19 Q And who showed you, were these
20 supervisors?

21 A No. These were just senior officers. And
22 they showed me that this guy gets a beating because of
23 what he did to you. They showed me how to give him a
24 little beating, and then I felt compelled, I was
25 embarrassed and scared, but I felt compelled to hit the

1
2 guy myself.

3 Q You felt embarrassed you mean because you
4 didn't participate in the beating?

5 A Yes.

6 CHAIRMAN MOLLEN: Was this in the 75th
7 precinct?

8 A No.

9 CHAIRMAN MOLLEN: In the 77th?

10 A No.

11 CHAIRMAN MOLLEN: Where was it?

12 A In the 110.

13 CHAIRMAN MOLLEN: In the 75th precinct, if we
14 can go back there for just a moment, Mr. Dowd, could you
15 tell us what the racial makeup at that precinct?

16 A Of the police officers?

17 CHAIRMAN MOLLEN: Well, I was getting to that,
18 but first of the community.

19 A It's about 60 percent black, 35 percent
20 Hispanic, and 5 percent other.

21 CHAIRMAN MOLLEN: And of the precinct?

22 A I'm sorry?

23 CHAIRMAN MOLLEN: And of the officers?

24 A The officers, I would say 95 percent
25 white.

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1
2 CHAIRMAN MOLLEN: Thank you.

3 Q Did you also engage in brutality when you
4 were in the 94th precinct, Mr. Dowd?

5 A Yes.

6 Q And can you tell us about the composition
7 of that community?

8 A It was about 90 percent white.

9 Q Thank you. I want to turn back to the
10 first time that you used force. You said that you were
11 compelled because you were embarrassed because you didn't
12 participate. You said that it was difficult at first.
13 Was it difficult after your first time?

14 A It becomes less and less difficult.
15 There's always some difficulty to it.

16 Q Why does it become less and less
17 difficult?

18 A Because you begin to see these people not
19 as people any more.

20 Q Mr. Dowd, is there a process of evaluation
21 with brutality in much the same way there is with
22 corruption?

23 A Absolutely. In my case, it was.

24 Q By that you mean minor brutality, and then
25 it builds up to more serious brutality later?

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1
2 A Yes.

3 Q And it's easier later?

4 A It's a form of acceptance. It's not just
5 simply giving a beating. It's the other officers begin
6 to accept you more.

7 Q I wanted to ask you about that. What was
8 the attitude of most police officers on the job toward
9 excessive use of force and brutality?

10 A Well, like I just said, it was something
11 that they championed. They didn't usually discourage it,
12 short of doing serious physical harm.

13 Q And are the police officers that are
14 engaging in corruption are they typically the same police
15 officers that are committing acts of brutality?

16 A The ones that are taking money will more
17 typically be the ones that are giving beatings, yes.

18 Q I'd like to point out to the Commissioners
19 to remind them that the Commission staff has also found a
20 correlation between officers engaging in both brutality
21 and corruption which will be discussed in the final
22 report. Mr. Dowd, does the Blue Wall of Silence extend
23 to protecting police officers who engage in brutality?

24 A I think that's the root core.

25 Q I'm sorry.

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1
2 A That's the core of the Blue Wall.

3 Q Can you explain what you mean by that's
4 the core of the Blue Wall?

5 A That's where it all beings, the
6 protection. That's where it begins. What more can I
7 say? That's where the Blue Wall starts in cases on
8 brutality. It's a survival matter. It becomes you
9 versus the enemy.

10 Q Mr. Dowd, what about supervisors? Aren't
11 the supervisors -- first let me ask you this. Are the
12 supervisors aware of the extent of brutality each day?

13 A Yes.

14 Q Don't the supervisors do anything to deter
15 or prevent the use of force, excessive use of force?

16 A They just to make sure that you have a
17 good answer.

18 Q Let's take a hypothetical. If you come to
19 the station house with an individual who's clearly been
20 beaten, what does a supervisor do or say?

21 A Give me a good answer why he's got holes
22 in his head or whatever.

23 Q And was there a good answer that you and
24 other police officers commonly had, a CYA as you put it
25 earlier?

1
2 A Well, there's always an answer.

3 Q What was the answer in the case of
4 brutality and excessive use of force?

5 A Well, resisting arrest.

6 Q So resisting arrest would be the code
7 word, the charge would be used that could get you off the
8 hook?

9 A It would show that you needed to use force
10 more than normal.

11 Q But generally in situations when you
12 didn't need to use force, is that correct?

13 A I'm sorry, say that again?

14 Q Typically, you'd include a charge of
15 resisting arrest in situations where there had been no
16 resisting of arrest, is that true?

17 A Personally, no, but I've been witness to
18 it hundreds of times.

19 Q Didn't supervisors ever question the basis
20 of resisting arrest, or did you feel confident that if
21 you had that, there'd be no questions asked?

22 A They were happy that you had an answer for
23 them. That's plain and simple, I don't think I can say
24 it any clearer.

25 Q So supervisors were more concerned with

1
2 whether a fabricated charge of resisting arrest could
3 pass muster than they were with whether the force was
4 justified?

5 A That's correct.

6 Q Mr. Dowd, of the hundreds of acts of
7 brutality that you witnessed or participated in, was a
8 single disciplinary action ever taken against you?

9 A Not to my knowledge.

10 CHAIRMAN MOLLEN: Do you know if a single
11 civilian complaint was lodged against you?

12 A I believe there might have been one or
13 two.

14 Q Did a single supervisor ever say to your,
15 Dowd, I know what you're up to, cut it out. This is not
16 going to stand in my precinct?

17 A I'm sorry, can you repeat that?

18 Q Did a single supervisor in your entire ten
19 year career in the New York City Police Department ever
20 say to you, Dowd, I know what you're doing. Cut it out
21 or you're out of this Department?

22 A Well, when you talk about brutality, there
23 was many of the officers were doing it, you know. Me
24 personally, I was not as bad as others, so I will say
25 that it would never come to light in my case.

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1
2 Q So is the answer no, that a single
3 supervisor never said to you cut it out or you're out of
4 this Department?

5 A Like I said -- well, the answer to that is
6 no, but that's because I was less aggressive than many
7 others were.

8 Q Mr. Dowd, did you ever worry about getting
9 caught in connection with excessive use of force? Did
10 you ever worry that someone would turn you in?

11 A Turn me in? No.

12 Q Report the brutality, tell the --

13 A Civilians maybe, but not cops.

14 Q Were you worried that civilians might
15 report it?

16 A Sometimes.

17 Q Did you do anything to ensure that
18 civilians didn't report it?

19 A Sometimes.

20 Q Can you tell us about that?

21 A We would intimidate them.

22 Q How would you intimidate a victim into not
23 reporting brutality?

24 A You threaten to do it again, it'll be
25 worse next time.

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1
2 Q And would you do that?

3 A There may have been a time or two.

4 Q And based upon your personal knowledge,
5 were others police officers doing this?

6 A Yes.

7 CHAIRMAN MOLLEN: Excuse me, Mr. Dowd, I think
8 you said there were instances of brutality where they
9 were being done, there would just be somebody dissing
10 you, spitting on the case, something like that.

11 A Right.

12 CHAIRMAN MOLLEN: Not committing a crime.

13 A Right.

14 CHAIRMAN MOLLEN: And because of that act,
15 there would be act of brutality committed against that
16 citizen, is that correct?

17 A That's correct.

18 CHAIRMAN MOLLEN: And, of course, once that
19 occurred, then in order to justify that act, an arrest
20 had to be made, didn't it?

21 A Normally, depending upon the beating.

22 CHAIRMAN MOLLEN: So if there was a severe
23 beating or severe enough to incur a resisting arrest
24 charge, there would then have to be fabricated some kind
25 of crime that the individual committed --

1
2 A Yeah. Disorderly conduct.

3 CHAIRMAN MOLLEN: That would, of course,
4 involve swearing to a complaint, going to court, maybe
5 swearing in court.

6 A Yes.

7 Q I'd like to turn to some of the empirical
8 data in Department records now on one of the points that
9 was just raised by the Commissioners and by you, Mr.
10 Dowd. That the members of the community, the victims of
11 both corruption and brutality, often did not report that.
12 Department records indicate that a total of approximately
13 fifteen corruption allegations were filed against you
14 during your ten year on the job. Does that come close to
15 reflecting the actual number of corrupt acts that you
16 committed on the job?

17 A It was fifteen reported?

18 Q That's right.

19 A Well, that's not close. I mean, that
20 would be a good week.

21 Q That would be a good week. I'd now like
22 to address the Commissioners' attention and the public
23 attention to this chart behind us which lists all
24 corruption allegations in the 75th precinct filed with
25 the New York City Police Department in the years 1986 and

1
2 1987, your last two years in the 75th precinct. These
3 numbers were provided by the Department at the request of
4 the Mollen Commission.

5 I'd like to turn to the one area which is
6 narcotics, Mr. Dowd. According to this chart, in the
7 years 1986 and '87, there were a total of twenty-nine and
8 thirty-nine allegations filed against members of the
9 Department in the narcotics area. Based on your personal
10 knowledge, did these numbers accurately reflect the
11 extensive narcotics related corruption in the 75th
12 precinct?

13 A No.

14 Q You look a little take aback. Why is
15 that, Mr. Dowd?

16 A Because twenty-nine would be a good couple
17 of weeks for me.

18 Q For you alone?

19 A Yes.

20 Q And instead this is the total number filed
21 against every officers in the 75th precinct for a year.

22 A Yes, but you're saying complaints. I
23 mean, actual incidents and complaints that go reported
24 are quite a large difference.

25 Q And I want to clarify one point that a

1
2 colleague just made. Were you the only corrupt cop in
3 the 75th precinct?

4 A I couldn't exist without the rest of them.

5 Q Okay. I want to now turn your attention
6 to the bottom of this chart which lists the force
7 allegations filed against police officers in the 75th
8 precinct. It indicates that in 1986 and 1987 there were
9 a total of forty-eight and forty-one force allegations
10 filed against members of the Department in the 75th
11 precinct. Again, based on your personal knowledge only,
12 do these numbers come close to accurately reflecting the
13 number of acts of brutality committed by officers in the
14 75th precinct?

15 A You mean my personally either witnessing
16 or being involved in in one year?

17 Q That's correct.

18 A No, I only work eight hours a day, and
19 there's twenty-four hours in a day, and I'd say you
20 probably have two or three times that that I was witness
21 to.

22 Q So you personally witnesses two or three
23 times the number of forced allegations that are ever
24 filed with the Department or CCRB, is that what you're
25 saying?

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1
2 A Yes.

3 Q So if these numbers were used by the
4 Department to assess the extent of corruption in the New
5 York City Police Department, it would grossly
6 underestimate the extent of corruption by a significant
7 factor, is that what you're saying?

8 A Pretty obvious.

9 Q The Commission investigation has
10 established that the New York City Police Department
11 anti-corruption apparatus is primarily a reactive rather
12 than proactive and relies almost exclusively on
13 complaints to gauge the extent of corruption in the
14 Department and in the City and to initiate corruption
15 allegations. I'd like to point out the significance of
16 this which is that the majority of corrupt act committed
17 by police officers, therefore, go undetected and
18 uninvestigated by the New York City Police Department.
19 This will be elaborated on further in these hearings in
20 later days.

21 EXAMINATION BY

22 MR. ARMAO

23 Q Mr. Dowd, just proceeding with the theme
24 of IAD as Miss Cornfeld just pointed out, you answered
25 some questions before put to you by the Commissioners,

1
2 and I'd just like to go into one or two areas. Was IAD
3 or the FIAU ever a genuine deterrent to you or any other
4 corrupt police officer you knew in the 75th precinct?

5 A No.

6 Q Were they viewed by you and your fellow
7 corrupt police officers as competent investigators who
8 are likely to get to the bottom of your actions?

9 A The cops that went into IAD were
10 considered losers.

11 Q Did you have ways to warn each other about
12 the presence of IAD or the FIAU in the command?

13 A Yes.

14 Q How would you do that?

15 A You could make a signal over the radio,
16 very simple, that they were in the precinct. That's no
17 secret.

18 CHAIRMAN MOLLEN: Do you recall a single arrest
19 by the IAD or the FIAU during the time you were there as
20 a corrupt cop?

21 A Not while I was in the 75th precinct, no.

22 Q Just two final questions for you, Mr.
23 Dowd. Do you know the name Sergeant Joseph Triboli?

24 A Yes.

25 Q Who is he to you, sir?

1
2 A He's the guy that's been following me for
3 four to five years.

4 MR. ARMAO: Mr. Chairman, Commissioners, that
5 ends the staff's questioning of this witness.

6 EXAMINATION BY

7 COMMISSIONERS

8 Q Just a couple of brief questions. There
9 comes a time when you're arrested, and I take it after
10 that, there comes a time you are debriefed, you're
11 questioned about your activities, is that correct?

12 A By whom?

13 Q That's what I was going to ask. The
14 Suffolk County authorities?

15 A No.

16 Q The Internal Affairs Division?

17 A No.

18 Q Was there no time that you were asked
19 about any of your activities by anyone in the New York
20 City Police Department?

21 A Not specifically, no.

22 Q I'm talking, of course, after when you had
23 the assistance of counsel and you were able to confer
24 with counsel without getting into any attorney-client
25 privileges, but obviously there came a time when you

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1 spoke with the staff of this Commission.

2 A Yes.

3 Q And my question I guess directly is before
4 that time, before you spoke with the members of the staff
5 of this Commission, do you recall have any conversations
6 debriefing, any sessions where the same questions that
7 you've been asked today were asked by members of the New
8 York City Police Department?

9 A There came a time after I was arrested by
10 the federal government that at the request of my
11 attorney, not at the request of Internal Affairs or at
12 the request of the Southern District of New York, we sat
13 down at a proffer session.

14 Q And in that session you were speaking with
15 people from the Southern District, the federal
16 authorities?

17 A As well as New York City Internal Affairs
18 Division.

19 Q And do you recall approximately when that
20 would have happened?

21 A September, the middle of August to early
22 September.

23 Q Of 1992?

24 A Of '92.

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1
2 Q To your knowledge had there been any
3 arrests made by the New York City Police Department as a
4 result of anything you said during the course of those
5 sessions?

6 A Well, it's fair to say that they were not
7 quite interested in what I had to say, so they just took
8 the information, walked away with it, and they proceeded
9 to put it under the rug.

10 Q You're aware that there came a time when
11 the First Deputy Commissioner was given the assignment of
12 investigating your activities specifically. Right? And
13 there was a report, and it was called the Dowd report.

14 A I heard about it in the newspaper.

15 Q Were you ever questioned by anyone as part
16 of that investigation to write that Dowd report?

17 A Never

18 Q Thank you.

19 JUDGE BAER: Let me ask a couple of questions
20 in an area that hasn't been touched on, and please let me
21 underscore what counsel has said to you earlier on that I
22 only want you to answer these questions from your own
23 personal conversations or observations, please if,
24 indeed, you haven't had any, just tell me. Are you
25 familiar with what are called line of duty injuries?

1
2 A Yes.

3 Q And what does a line of duty injury
4 produce in the way of benefits for a police officer?

5 A It produces a tax-free pension for the
6 rest of his life.

7 Q To your knowledge now is a line of duty
8 injury or has a line of duty injury ever been faked by a
9 police officer?

10 A Yes.

11 Q And, indeed, could you tell us an example
12 of such a situation?

13 A Well, my partner Kenny Eurell, is that
14 what you wanted to hear?

15 Q Can you speak up?

16 A Yeah. He told me that he broke his wrist
17 on a sink -- let me lay it out for you, okay.

18 Q Please.

19 A During the process of an arrest -- at the
20 time I was not working with my ex-partner, Kenny Eurell,
21 but he told me this story from his own words -- it was
22 around May or June of '88, and he knew because of my
23 leaving there was a lot of pressure. So the first
24 opportunity he got to get on the street, because he was
25 locked in the station house most of the time, he

1 participated in an arrest which was a violent struggle
2 involved, and he wa able to go back into the precinct
3 after making the arrest and slam his wrist against the
4 bathroom sink causing it to fracture again or dislocate
5 again. He had done it once before, thus enabling himself
6 to go take a line of duty injury and blame it on the
7 individual he arrested.
8

9 Q But it had, in fact, nothing to do with
10 that arrest?

11 A According to what he told me.

12 Q Tell me again what the process is in order
13 for that pension or what have you to inure to the
14 officer.

15 A Well, he would have to have it verified
16 that the injury was actually line of duty, that he was
17 debilitated from it, and that he would eventually be
18 considered disabled because of that injury. Then he
19 would go before certain boards, and he would get a
20 pension.

21 Q And the pension would be tax-free?

22 A Correct.

23 Q Do you know whether or not this has
24 occurred in any other situations to your personal
25 knowledge?

1
2 A Yes.

3 Q Is it a frequent occurrence?

4 A Yes.

5 Q Thank you.

6 Q Following Judge Baer's questions, do you
7 know whether or not there have been physicians involved
8 in these fake injuries that are reported for pension, a
9 preferment of some sort by police officers?

10 A Well, when you go to see certain doctors,
11 they go along with whatever you say. In other words, if
12 you go to a regular hospital in a community where you
13 work, they treat you with kid gloves, and they let you,
14 if you say you broke your wrist, they say, as long as
15 it's not an x-ray that's required, they go along with it.

16 Q You're saying these are police, excuse me,
17 physicians in regular hospitals?

18 A Yes.

19 Q You're not talking about physicians
20 employed by the Police Department, are you?

21 A No, I'm talking about physicians in
22 regular city or private hospitals.

23 Q Are you telling us further that these
24 physicians in whatever hospital do this even though
25 they're aware that the injuries are faked in whole or in

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1
2 part?

3 A It has happened in my experience.

4 Q And this I assume was off and on during
5 your entire career, or was there some special period and
6 some special assignment in a particular precinct when you
7 learned this?

8 A It was mostly in the 75th precinct.

9 Q 75th?

10 A Yes.

11 Q Thank you.

12 CHAIRMAN MOLLEN: Mr. Armao, that completed
13 your questioning of this witness?

14 MR. ARMAO: Yes, Mr. Chairman.

15 CHAIRMAN MOLLEN: Thank you, Mr. Dowd. This
16 hearing is now recessed or adjourned for today.

17 (Whereupon the hearing was adjourned.)
18
19
20
21
22
23
24
25

C E R T I F I C A T E

I do hereby certify:

That I was present at the above proceeding
and made a verbatim record of everything spoken except as
directed by the Hearing Officer presiding.

That the foregoing pages are a true
and complete transcript of the record made by me in my
capacity as Reporter.

Allen Fraser
(Reporter)

Carol Gephke
(Transcriber)