Codd orders probe of cops who arrested 'gate burglar

By CARL J. PELLECK

Police Commissioner Codd has ordered a top-level investigation to find out how and why two city detectives got involved in the bizarre arrest of Watergate burglar Frank Sturgis for allegedly threatening former CIA spy Marita Lorenz.

He ordered his top aide First Deputy Commissioner James M. Taylor, to head the "full-scale" investigation into the circumstances surrounding the involvement of Intelligence Division detectives Matthew Rosenthal and James Rothstein in arresting Sturgis late Monday night in Miss Lorenz' Yorkville apartment.

Sources told The Post that top police brass questioned whether the two cops had sufficient grounds to arrest Sturgis since they were with her when Sturgis arrived unarmed at her apartment and did not hear him make any threats.

The usual procedure in such cases, where it is one person's word against another, is to have the purported victim swear out a complaint in court.

Only in cases where there is serious injury or a witness to the crime, do police actually make an arrest.

The two cops had been with Miss Lorenz for several hours before Sturgis arrived, sources said. Although Miss Lorenz took two calls earlier in the evening—and told the cops Sturgis was the caller —they did not listen in.

Sturgis refused to answer the cops' questions when he arrived. The cops then arrested Sturgis, also an ex-CIA spy, on charges of cohesion and harassmennt for allegedly threatening Miss Lorenz and instilling "fear into her that she would be killed" if she continued to talk about a President Kennedy assassination conspiracy.

Rosenthal and Rothstein were being investigated, a source said, "because the way they came to be at the scene is unusual. They were not sent by a boss. They were there on their own."

COMMISSIONER CODD

Initial reports on the Sturgis case traced the following sequence of events:

Miss Lorenz apparently received a call from Sturgis last week in which he asked her to come to Florida. She was unable to get away, she told him, because a close relative was ill. Sturgis said he would come here.

On Saturday Miss Lorenz was interviewed here by House Association Committee investigators and told them of a trip she said she took with Sturgis, Lee Harvey Oswald and four Cubans --all members of an assassination squad—to Dallas, arriving there three days before Kennedy was killed on Nov. 22, 1963.

Sometime early on Monday Miss Lorenz called the police Intelligence Division here and spoke to a detective she had previously been in contact with.

"She told him her daughter Monica, 15, was going to buy a gun. She said the daughter was going to kill Sturgis," a source told The Post.

"She knew the Intelligency guys because she has been dealing with them for some time. She claims to have an inside track to guns, pornography, rackets in bars and organized crime."

Then about noon Monday, Miss Loranz went to the East 102d Street station house and told the same story about her daughter and the gun.

About an houre later detectives from the precinct picked up Monica in front of her apartment at 1725 York Av. She allegedly had a .22-caliber pistol and police arrested her on juvenile delinquancy charges.

About 8 Monday evening, Rothstein and Rosenthal received a call at their office at 270 Broadway that Sturgis was coming from Miami to try to stop Miss Lorenz from telling of the alleged assassination plot.

Rosenthal and Rothstein met Miss Lorenz in a bar at 43d St. and Third Av. where she told her story. Then they left for her apartment after she told them that Sturgis would be contacting her by phone about 10 p.m.

At about 10, a call came and she talked on the phone briefly. The two detectives were not listening in.

She got off the phone and told the cops that Sturgis would call back later.

Within an hour another call came and when she hung up she told Rothstein and Rosenthal that Sturgis "would be here soon."

At 11:30, Sturgis walked into the apartment carrying a small suitcase with his clothes.

The two cops announced he was under arrest.