

Hearing Today to Delve Into Secret Police Work

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By M. A. FARBER *for Harold*

In the shady world of illicit drug dealing, where narcotics crime and police corruption are often intertwined, undercover police agents and their informants are universally feared and loathed. A "cover" blown inadvertently can mean a quick death. And a "cover" purposely revealed is usually substituted by another, so that an agent can continue his secret work or go into hiding.

But an unusual hearing scheduled to start this morning in Federal District Court here is expected to provide a public, dramatic detailed and, in many ways, ironic portrait of two undercover men—once collaborators on the street and now opponents in the courtroom.

And if the hearing runs a full course, interviews and examination of documents by The New York Times indicate, a bizarre tale will unfold, with the following elements:

¶Charges of a "coverup" by Government officials to conceal the criminal dealings of a prize prosecution witness whose testimony was vital in a series of anticorruption and narcotics cases.

¶A disputed lie-detector test given by a former official of the Central Intelligence Agency.

¶An apparent conflict within the Government over who read an important memorandum written by a Federal inspector.

¶A mysterious incident in

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the Bronx in which a man who allegedly kidnapped a drug pusher was shot and killed.

The key witness at the hearing will be **Robert S. Leuci**, a 34-year old narcotics detective who became the chief undercover agent in a major Federal anticorruption investigation in the city that began in 1971 and was partially inherited in mid-1973 by Maurice H. Nadjari, the special state prosecutor.

The other undercover agent is **Richard B. Lawrence**, also known as "The Baron," who for 10 years was one of the most highly regarded and active narcotics informants here and who has accused Detective Leuci of engaging in extensive illegal drug deals with him, even after the detective became an anticorruption agent. Mr. Leuci said two months ago that his criminal acts were far greater than he had previously acknowledged, but he has denied most of Mr. Lawrence's allegations.

The occasion for the clash between the detective and the 48-year-old informant he often



The New York Times
U.S. Attorney Paul J. Curran, to whom Robert S. Leuci disclosed his various crimes in April.

worked with is a hearing on a motion for a new trial by Edmund A. Rosner, a lawyer who was convicted in 1972 of bribing Detective Leuci to obtain grand jury minutes and other secret documents from the office of the United States Attorney for the Southern District of New York.

Yet interest in the hearing goes well beyond Mr. Rosner's attempt to have his conviction overturned—and his right to practice law in New York State restored—by undermining the credibility of Mr. Leuci, who was the main prosecution witness against him.

In effect, Mr. Rosner and his attorney, Prof. Alan Dershowitz of the Harvard Law School, are now trying to put the Government on trial for what they regard as gross misconduct in the Rosner case. The question, on this issue, is: What did the Government know about Detective Leuci's criminal acts, and when? What did it do, or should it have done, with the information?

At the Rosner trial in late 1972, Mr. Leuci testified—falsely it later turned out—that his own crimes were limited to three or four occasions before 1968 when he acted as a middleman for detectives who were shaking down narcotics suspects. The United States Attorney's office says it had no reason to believe the detective had perjured himself until April, 1974, when Mr. Leuci privately disclosed the fuller range of his crimes to the United States Attorney, Paul J. Curran.

Evidence Suppressed?

But Mr. Rosner has now accused the Government of a "deliberate and massive suppression of evidence within its files" since at least January, 1973, "corroborating Leuci's deep and continuous involvement in illegal drug transactions between 1968 and 1972."

Having discovered "damaging material regarding Leuci" prior to Mr. Rosner's sentencing in March, 1973, "the response of the U.S. Attorney's office was to cover up" and not inform the defendant, as was required by Federal law, Mr. Dershowitz asserted in a brief requesting the hearing that opens before Judge Arnold Bauman today.

Judge Bauman, who presided at the Rosner trial, said last week that "certain individuals may be subject to disciplinary proceedings" if Mr. Dershowitz's contentions were true. Mr. Curran, who succeeded Whitney North Seymour Jr. as United States Attorney for the Southern District in June, 1973, denies any misconduct by his office. But the opposing view was characterized as follows the other day by a private investigator for Mr. Rosner:

"This situation is worse than Watergate."

The degree to which the "coverup" charge will be explored at the hearing is uncer-

tain. Mr. Rosner, who has always insisted that he was entrapped by Detective Leuci, wants to "let the barn door open and let everything come out."

But the primary question before Judge Bauman is whether the 38-year-old lawyer is entitled to a new trial because the jury in his original trial might have reached a different verdict if it had known the true extent of Mr. Leuci's crimes. And the judge could reach a decision on that issue before the "coverup" charge can be argued by Mr. Dershowitz at the hearing.

Admissions Kept Secret

Detective Leuci's recent admissions of his involvement in crime have been kept secret, although they may be revealed this morning. Law-enforcement sources said in early June that Mr. Leuci had implicated himself, and more than a dozen other detectives in such crimes as acceptance of drugs and bribes, use of illegal wiretaps, sale of confidential information and the results of police investigations, theft of money and drugs seized in narcotics raids and collusion with organized crime figures to obstruct justice.

But, according to those sources, none of the crimes were committed by Mr. Leuci after he became an anti-corruption undercover agent for the United States Attorney's office and the Federal Bureau of Nar-

cotics and Dangerous Drugs in the spring of 1971.

The detective has told friends that he began disclosing his further involvement in crime last April because he was "tired of perjuring myself" and because he feared that other narcotics detectives who were under suspicion would accuse him.

Mr. Rosner, however, believes that the motivation was a 14-page, sworn affidavit by Mr. Lawrence that was filed on behalf of Mr. Rosner's motion for a new trial last March 24. Acting on a tip, investigators for the lawyer—including Frank E. King, a former narcotics detective who is reported to be a leading suspect in the so-called "French Connection" drug thefts from the Police Department—had located "the Baron" last January in a small, upstate town, where he was working as a machinist.

Mr. Lawrence, a burly six-footer who served 11 years in prison before becoming a paid, registered informant for the city police and Federal drug agents in 1962, was introduced to Mr. Leuci by another detective in 1967.

At that time, Mr. Leuci, who

has frequently said that "he only wanted to be a cop," was starting the first of two stints in the elite special investigations unit of the Police Department's narcotics division. His hair relatively long, his clothes modish, he had the easy-going affability of a big-time detec-

tive. And, by his own account now, he was corrupt.

"I found myself in a dung heap—just about everybody in that unit was corrupt," he is reported to have told an acquaintance recently. "Nobody gave a damn as long as you did your job and it was 'them against us.' But, strange as it may seem, very few of the men there were really criminals. They may not come up smelling roses, but they weren't what I would call criminals."

In his affidavit, Mr. Lawrence said that several times a month from 1968 through 1971 "Leuci supplied me with heroin which I diluted and sold and then paid Leuci for the cost of the package he had given me." The informant, who said he personally made \$100,000 on such transactions, also said the detective gave him portions of seized narcotics on "numerous occasions" and that he, in turn, gave Mr. Leuci three used automobiles.

For example, Mr. Lawrence said that after one drug raid in 1970, Mr. Leuci called him at home around 7 P.M. and told him to come to the Simp-

son Street police station in the Bronx. Mr. Lawrence said he met Mr. Leuci and another detective upstairs in the station and Mr. Leuci told the other detective to "give me the package," which the other detective did, according to Mr. Lawrence.

"I slipped it under my sweater. The package looked liked it contained a half-kilo of heroin, but it contained light fluffly stuff so it weighed only an eighth of a kilo," the informant swore.

Mr. Leuci is said to have described Mr. Lawrence's allegations as containing "a bare amount of fact and a great deal of fiction." He is believed to have acknowledged taking money from, and giving money to, the informant and to have arranged for Mr. Lawrence occasionally to receive drugs in return for his services as an informant. The detective reportedly told officials that he had paid for the cars received from Mr. Lawrence, and had not gotten them as a gift.

Law-enforcement officials who believe that Mr. Lawrence is lying about Mr. Leuci are

considering perjury charges against the informant if he testifies at the hearing.

They may also attempt to implicate Mr. Lawrence in a fatal shooting in the Bronx several years ago. In that incident, Mr. Lawrence was in an automobile, with two or more detectives, and the alleged kidnapper of a drug pusher. The pusher was shot to death, but Mr. Lawrence denied firing at the man.

In the winter of 1972-1973, Mr. Lawrence was dropped as an informant by some Federal drug agents and supposedly had a falling out with Mr. Leuci. Shortly thereafter Mr. Lawrence told city, state and Federal narcotics officials of his alleged drug dealings with a number of detectives, including Mr. Leuci.

In cooperation with the United States Attorney's office, Federal drug agents flew Mr. Lawrence to Falls Church, Va., on Jan. 17, 1973, for a lie-detector test regarding his relationship with Mr. Leuci. The test was given by Harry T. Mahoney, a former official of the Central Intelligence Agency.

Federal drug agents later said that Mr. Mahoney's now defunct concern, True Securities Industries, was selected "based on prior experience and knowledge of their abilities," but Mr. Mahoney said in an interview that Mr. Lawrence was the only person ever given a polygraph test by his concern for the Bureau of Narcotics and Dangerous Drugs.

Mr. Mahoney concluded from the test that Mr. Lawrence had lied about his alleged drug dealings with Mr. Leuci and, the next day, the Government dropped its "complete investigation" for what it later said was a variety of reasons, including the results of the test.

But Mr. Rosner is said to have affidavits from other polygraphers arguing that the charts on which Mr. Mahoney either that Mr. Lawrence was telling the truth or that nothing could be determined from the test.

Mr. Rosner is also said to believe that the United States Attorney's office has suppressed a memorandum containing the admission of a crime by De-

tective Leuci that he did not mention at the Rosner trial six months later. The memorandum was written by Inspector Robert Goe of the Bureau of Narcotics and Dangerous Drugs, after an interview with Mr. Leuci in the United States Attorney's office, and was sent to Mr. Goe's superiors in Washington.

The memorandum was written in July, 1972, but the United States Attorney's office, which turned over a copy of

the memorandum to Mr. Rosner last week, said that it first learned of the existence and contents of the memorandum last April.

However, a spokesman for the Drug Enforcement Administration, the successor agency to the Federal narcotics bureau, said that an investigation had been conducted as a result of the memorandum and that the United States Attorney's office had been kept informed of the investigation "at all stages."