

# ILLNESS A PUZZLE IN RONCALLO CASE

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## Suffolk Officials and Justice Department Study Possible Drugging of a Prosecutor

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By ROY R. SILVER

The Suffolk County Police Commissioner, Eugene R. Kelley, said yesterday that he was investigating conflicting stories about the chief Federal prosecutor's mysterious illness during the extortion trial of Representative Angelo D. Roncallo.

Also yesterday, a spokesman for the Justice Department in Washington and the Suffolk County District Attorney said each of those offices was conducting separate investigations of the circumstances surrounding the young prosecutor's illness.

When Peter R. Schlam, the 29-year-old assistant United States attorney for the Eastern District, who was the prosecutor in the trial of Mr. Roncallo and a co-defendant, failed to appear in Federal District Court in Westbury, L.I., on May 9, it was believed that he was suffering from exhaustion. Mr. Roncallo was acquitted shortly afterward.

Mr. Schlam was described as being very drowsy, nauseous and incoherent by Assistant United States Attorney Thomas Puccio, who shares an apartment with him in Brooklyn Heights.

Mr. Schlam was taken by his father, Dr. Isaac Schlam, to Good Samaritan Hospital in West Islip, L.I., on the evening

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of May 9.

After the prosecutor was admitted to the hospital, Commissioner Kelley said in an interview yesterday, the hospital called the local police station to notify it of an "O.D." (overdose of drugs).

Moments later, however, the hospital again called the police to report that it was not a case of an overdose but appeared to be one of extreme exhaustion, the Commissioner added.

### Police 'Extremely Interested'

"We began to get extremely interested in the case," Commissioner Kelley said, "when conflicting reports appeared in the press indicating that someone had apparently drugged

him"—a Newsday article quoting Mr. Puccio.

"We went to the hospital and spoke to the administrator [Edward J. Peterson]. He was very reluctant to say anything. He said that the hospital records were ordered sealed by Mr. Boyd [Edward J. Boyd 5th, then Acting United States Attorney in Brooklyn] and that Mr. Boyd was with Mr. Schlam and two United States marshals when Mr. Schlam was admitted."

Neither Mr. Boyd nor David G. Trager, the recently sworn-in United States Attorney for the Eastern District of New York, would comment yesterday about the illness of Mr. Schlam.

### U.S. Calls It 'Drugging'

Mr. Boyd said that he was reserving all comment at the request of Mr. Trager, and Mr. Trager repeatedly answered "no comment" in response to questions about the illness.

Mr. Schlam, who is on vacation in Florida, did not return a telephone message left for him by The New York Times.

A spokesman for the Justice Department in Washington said that the department was "reviewing" the "facts surrounding the drugging of the assistant United States Attorney—to determine whether it was accidental or whether it was intended."

The spokesman said the inquiry was part of a larger one being conducted in response to a letter sent to the Attorney General by Representative Roncallo, in which the Congressman requested a review of the handling of his case.

Sources familiar with the Justice Department's current file on the case said that the material gathered thus far on Mr. Schlam's illness indicated definitely that he had been drugged but did not indicate whether the drugs had been administered by him or by someone else.

Police Commissioner Kelley of Suffolk said the hospital would not reveal when Mr. Schlam had been discharged—on either May 10 or 11 or 12,

since he returned to the trial on May 13.

"My question to myself was what authority did Mr. Boyd have to order the records sealed," Commissioner Kelley said. "I don't know of any authority."

"After the rebuff from Peterson, I wrote to the Suffolk County District Attorney [Henry Wenzel 3d], setting out the facts and indicating there was a probable cause to believe a crime may have been committed in our county."

### 'One Last Effort'

The Police Commissioner said he had asked the aid of the District Attorney's office "because I didn't want to tangle with Mr. Boyd." He said that he had had further conversation with Mr. Wenzel's office and that it had been suggested that "I take one more step—personal talks, with Boyd and Schlam."

On Monday, Commissioner Kelley said, he instructed Detective Capt. Arthur Feldman,

who has been working on the case, and another detective "to get hold of Boyd and Schlam, even if they got a 'no comment.'"

"The District Attorney felt I should make this one last effort before he would take a look at his own machinery to see what his office could do," the Police Commissioner said. "I had asked in my letter to Mr. Wenzel for the possibility of a grand-jury investigation."

Commissioner Kelley said that his men had spoken with Mr. Boyd on the telephone yesterday and that "Mr. Boyd denied having ordered the hospital records sealed, and professed little knowledge of what Mr. Peterson said he had said."

The Commissioner added that Mr. Boyd also denied that he had been present when Mr. Schlam was admitted to the hospital or had ordered that the patient be guarded by marshals.

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