

I.T.T. AIDED FUND MACKELL SET UP

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Help to Justice Institute Put
at Over \$150,000—State
Hearings Open Today
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By DAVID BURNHAM

The International Telephone and Telegraph Corporation has contributed more than \$150,000 to a tax-exempt foundation established by former District Attorney Thomas J. Mackell of Queens, according to sources within the company, and public hearings on the matter are to begin today.

On one occasion last year, the foundation reportedly picked up a \$548 hotel bill for Mr. and Mrs. Mackell at the Virgin Isles Hilton during a narcotics seminar held there.

Last month the state's Joint Legislative Committee on Crime accused the Avis Rent-A-Car System, Inc., 52 per cent of whose stock is owned by I.T.T., of giving a key employe of Mr. Mackell's the free use of a Cadillac while he was directing a criminal investigation whose outcome benefited Avis.

Keith Perkins, I.T.T. director of public relations, yesterday defended the company's contributions to the tax-exempt organization, the Institute for the Advancement of Criminal Jus-

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tice, and denied they were any way connected with "the Avis problem—if it is a problem."

The hearings today will be held by the legislative crime committee, which is headed by Senator Ralph J. Marina, Republican of Syosset, L. I. The committee is to explore I.T.T.'s contributions and the handling of the Avis matter by Mr. Mackell's office.

Mr. Mackell could not be reached for comment. He quit his post 10 days ago after he was indicted on charges of attempting to block the investigation of an unrelated criminal matter and Governor Rockefeller announced he would begin proceedings to remove him from office.

In addition to the investigation by the State Crime Commission, Maurice H. Nadjari, the state's special anticorruption prosecutor, has begun a separate inquiry into the circumstances surrounding the handling of the Avis case by Joseph N. Monty, the former chief rackets investigator of the Queens prosecutor. It is Mr. Monty who allegedly was given the free use of a Cadillac.

Aims of Institute

Mr. Mackell first obtained a charter for his institute as an educational organization from the State Board of Regents — thus making it eligible for tax-exempt status — on March 31, 1967.

The purposes of the institute, according to a tax return required of such groups, are to promote a communitywide understanding of criminal justice, to provide instruction on crime prevention, to conduct and foster research in criminal administration and to support an interne program for law students.

According to several sources, virtually all of the contributions made to the institute came from International Telephone and Telegraph.

In one of the latest brochures on the group, Mr. Mackell is listed as the chairman, Richard Klein, an I.T.T. lawyer, is listed as the vice chairman and Howard Aibel, a senior vice president and general counsel for the corporation, is a member of the board of governors.

In the latest available tax return, for 1971, the institute showed gross contributions of \$41,540 and disbursements of \$29,185.

The return did not include a separate schedule showing who contributed gifts of \$5,000 or more, which may constitute a tax-law violation.

According to sources within I.T.T., the corporation gave the institute more than \$150,000 between 1969 and 1973. The contributions represented approximately 90 per cent of all funds received by the institute and the institute was the only criminal justice organization that received grants from the corporation, the sources said.

One grant of \$9,000 is known to have been made to the institute by the National Commission on Obscenity for a study on the possible connection between pornography and crime.

'Improve Quality of Life'

Although I.T.T. took an advertisement in The New York Times on Oct. 11, 1972, publicizing its support of the foundation as an example of its public-spirited effort "to improve the quality of our national life," the company did not identify Mr. Mackell as the founder and chairman of the organization.

Frederick J. Ludwig, the Acting Queens District Attorney, said in response to an inquiry that he had been removed as vice chairman of the foundation last January. He said he knew nothing about the organization.

"They never consulted me and I had nothing to do with the finances of the foundation," he said when asked about reports that Mr. Mackell sometimes had used the foundation for trips around the country and state.

Mr. Perkins, I.T.T.'s public relations director, said the institute's drug-abuse training program had "received accolades from educators, parents and government officials throughout the country." He said the Virgin Islands narcotics seminar between March 1 and 5, 1972, which the institute financed, was set up because "Governor [Melvin] Evans had indicated a great interest in the program and wanted it in St. Thomas and St. Croix."

Mr. Perkins said that "we still think it is an excellent worthwhile program."

Group Set Up by Gogan

One other city prosecutor, Frank S. Hogan of Manhattan, is known to have established a tax-free foundation. According to David S. Worgan, executive assistant district attorney, the name of the group is The Citizens Committee for the Control of Crime. He said the president was Gordon Hyde, a retired advertising man.

The purpose of the organization, he said, is to buy special equipment such as video tape recorders, to help hire summer law-school internes and to provide large amounts of cash when needed for special investigations.