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Held:  
Assembly Chamber, State House  
Trenton, New Jersey  
September 26, 1956

MEMBERS OF COMMITTEE

Present: Senator Malcolm S. Forbes, Chairman  
Senator Frank W. Shershin  
Senator Donal C. Fox  
Assemblyman Dominic A. Cundari  
Assemblyman Joseph M. Thuring

Absent:  
Assemblyman Paul M. Salsburg

APPEARANCES:

Russell T. Kerby, Esq., counsel to  
the committee

Attorney General Grover C. Richman,  
acting as counsel for members  
or former members of New Jersey  
State Police.

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SENATOR MALCOLM S. FORBES (THE CHAIRMAN): We would like to ask Mr. Bittig if he could take the witness stand.

A L O Y S I U S J. B I T T I G, 176 Berkeley Avenue, Bloomfield, New Jersey, being duly sworn according to law, testifies as follows:

EXAMINATION BY MR. FORBES:

Q Mr. Bittig, would you tell the committee your occupation?

A Yes, sir, I am an attorney employed by the New Jersey Bell Telephone Company, 540 Broad Street, Newark, New Jersey.

Q And how long have you been in that capacity with the Telephone Company? A Come September 28, 42 years.

Q What instances of wire tapping and unauthorized connections are you familiar with? A When I talk about wire tapping, I mean tapping a person's line without his knowledge or consent. That in the strict sense of the term is my interpretation of wire tapping. Tampering or another phrase or word would be unauthorized equipment, I would classify as that which is done with the knowledge and consent of the individual whose telephone is tampered with. We have classified as tampering, any and all cases which the Telephone Company has run into involving bookmaking, because invariably that was and is an extension of telephone service with the knowledge and consent of the customer, and invariably they<sup>got</sup> good pay for permitting their wire to be tapped and run into a location either in the same building or in another building.

There is another type of unauthorized equipment, and that is where a customer, either himself or through a person

who knows how to do it, may attach extension stations to the service without the knowledge or consent of the Telephone Company, which we catalog as cheating. Those are the three categories that I am familiar with.

Q And under those three categories, would you estimate the specific number of cases that you are familiar with?

A Senator, I don't think that I could estimate those cases. I have been exposed to all three types over quite a number of years and I couldn't definitely give you any figure. I know that there were hundreds of cases that we ran into during the course of our bookmaking investigation, which started ---

Q That's here in New Jersey? A In New Jersey. -- which started effectively about 1943, throughout the whole state, and we had our major difficulty in that category in the North Hudson Section and in Bergen County with some parts of Passaic County involved. On the unauthorized attachments by customers, there would be many of those probably which never would have come to my attention and necessarily wouldn't unless I was asked for advice as to what to do in a particular case by the operating departments. I would attempt to advise with them by way of how to dispose of the matter. Usually the customer would be warned that the Telephone Company doesn't countenance this kind of activity and we either remove the attachment ourselves in the presence of the customer at the time -- well, generally that is what is done -- and he is warned that if we run against the situation again, his service will be disconnected.

In the bookmaking phase, wherever we ran across any of our wires being tampered with, all of the customers whose wires were run into a so-called wire room, as well as the telephone or telephones that may have been legitimately in the establishment, would have been disconnected summarily upon our investigation of that condition, and there were hundreds of those.

Q Could you tell us a little bit about Mr. George Yeandle, what you know about him?

A Yes, sir. That developed along about 1944 or '45 to the best of my recollection in the North Hudson Section of Hudson County where whenever the Legal Department authorized the Plant Department to send their foreman and a repairman to investigate a bookmaking lead which we had gotten some prior information on, our men reported pretty steadily that they were not able to get into some of these places until either George arrived or Whitey.

Q You say your men weren't able to get in, you mean when the telephone company investigators were tracking down a bookmaking complaint, they would get to where the phones were and they were not allowed entrance?

A That is correct, sir. That happened a sufficient number of times for me to alert the Plant people to find out --- Many times George appeared after our men waited there for ten or fifteen minutes or half an hour, and I then asked them, after it happened a number of times, to give me the license numbers of the automobile or automobiles that Yeandle used when he came around to visit these places. At that time I didn't know who he was. I just knew him as George or Whitey. I got, I believe, two

license numbers; one they told me was a truck which was somewhat similar to a Bell Telephone Company truck in color, although it didn't have the insignia of the company on it, and the other was a Buick automobile, sedan type. I checked out the license plates and found out that it was Yeandle and that he lived in Flushing, New York, and at that time we were working with Deputy Attorney General John Grimshaw and Deputy Attorney General Si Fisch, who were special Deputy Attorneys assigned to Hudson County.

In cooperation with that office, I acquainted them with the license numbers of Yeandle and his address and they visited his premises and took his Buick automobile from his yard and brought it over to Newark and it contained a pretty sizeable amount of telephone equipment, wires and so forth. We assisted the authorities in making an inventory of it and eventually Yeandle was indicted for aiding and abetting book-making. He came over and pleaded because he needed his car, and he was subsequently fined and put on probation for that activity in North Hudson.

He later moved to Fort Lee and I continued to watch him over there. But we were never able to catch up with him in so far as any additional tampering or aiding and abetting book-makers was concerned.

He then left Fort Lee and moved back to Long Island where he told me he had a fishing boat livery and restaurant and I believe a motel of some kind or other. That's the last I have heard directly from Yeandle or about him, except the newspaper

item that Telephone Company employees found him not too long ago over in Brooklyn or Long Island on one of the Telephone Company poles, tampering with the wires.

BY MR. KERBY:

Q Do you have a file on Mr. Yeandle? A Yes, I do.

Q And does that file disclose any back strapping activity?

A Well, it may, Mr. Kerby, I have no specific recollection at this time whether it does.

Q Would you explain what the term back strapping means?

A Well, I don't think I am sufficiently a technician to adequately explain that to you, Mr. Kerby.

Q Mr. Curtis who will testify later, will he know?

A He may possibly know.

Q Could you give us a general idea? A Well, my

understanding of back strapping is that they will take a connection from a pair in the terminal or it could be done in a switchboard in the Central Office.

BY MR. SHERSHIN:

Q Mr. Bittig, when you say they, whom do you refer to? A Well, ---

Q Wire tappers or telephone company employees?

A When I say "they," I think at the moment I am talking about my understanding of what the telephone employee may do in the Central Office by way of back strapping.

Q For the record, the telephone company employees are doing what you are now describing? A Yes, I would think so, but it would be connecting, I believe, a pair of wires with another

set of terminals. Now, that, to the best of my very limited knowledge, is what I would--

SENATOR SHERSHIN: For what purpose?

MR. BITTIG: Well, I can't exactly say. There are probably good technical reasons for it but I think I had better not go into the details of it.

MR. CUNDARI: Mr. Chairman, in all fairness to the witness, I don't think that he as counsel would know the technicalities of it.

SENATOR FORBES: No. I understand we will have Mr. Yeandle and he probably can explain it more completely in the terms that the Committee is concerned with.

While Yeandle was at the Top Hat and thereafter, until 1949, was the telephone company supplying him with any equipment and wire?

MR. BITTIG: You presuppose that I know that Mr. Yeandle was with the Top Hat. I have no information of that kind. I had no knowledge that he was ever connected with the Top Hat episode so I can't answer that question.

SENATOR FORBES: Did the telephone company supply Mr. Yeandle with any equipment or wire up until 1949?

MR. BITTIG: Never.

SENATOR FORBES: Could you tell us under what circumstances the telephone company releases pair, cable, and bridging information to law enforcement agencies?

MR. BITTIG: To my knowledge, that information is never given out to any law enforcement agency or anyone else.

SENATOR FORBES: What steps does the telephone company take when they hear about a tap or are told that someone is tapping, as in the case of Lieutenant Thomas Diamond?

MR. BITTIG: Well, I remember the Thomas Diamond incident and, in that particular case, the equipment was captured by the telephone company employees who found the tap.

MR. KERBY: That was all the telephone company did?

MR. BITTIG: Yes, sir.

MR. KERBY: They didn't bring it to the attention of any law enforcement agency?

MR. BITTIG: No, sir.

BY SENATOR FORBES:

Q Does the telephone company consider it an offense when their facilities are misused by physically attaching an instrument to their lines? A That is a two-fold question, Senator, as I understand it. As I explained before, where a person does it for the purpose of, himself, adding an extension station without paying<sup>for</sup> it, that would be a violation of the company's tariffs; it would not be a violation of the law as we understand it.

Q All right. And the other type? A The other type is a tap, an unauthorized tap, so called, which is done without the knowledge or consent of the customer. We would remove the tap and, if our people actually found a man or men sitting on that tap, I think my instructions to our people at that time would be to either arrest them or cause them to be arrested.

Q Does the telephone company ever do any monitoring or listening in on calls at the request of law enforcement agencies? A Never. To my knowledge, never.

Q Do you know whether any of the telephone company's operators ever listened in on calls at the request of William Beer, state detective? A I have never heard of a William Beer and I don't believe that any telephone operator ever would do that except on a wholly unauthorized basis. They are subject to penalties of the statutes of New Jersey and each and every employee of the company, each and every operator, is instructed very thoroughly and completely, and every employee of the company is given a booklet stating the various laws that could be violated by listening in and repeating; bulletins are posted in all central offices, calling attention of the operators and all employees in that connection that they will be summarily dismissed if they are caught at it.

Q Does the telephone company provide a monitoring or listening service, itself? A Not that I know of, Senator. I can't answer that question.

Q Could you explain to us the situation at Newark City Hall where there was a monitoring service being provided for a brief period? A No, I know<sup>nothing</sup> about it other than what I read in the newspapers.

SENATOR FORBES: Do any members of the Committee have any questions they would like to ask of Mr. Bittig?

SENATOR FOX: For my own satisfaction, Mr. Bittig: I think you used three definitions, Let's take the first:

wiretapping. Is that correct?

MR. BITTIG: That is correct.

SENATOR FOX: Will you give me again? I mean, what is your understanding of the definition of wiretapping?

MR. BITTIG: My definition of wiretapping would be an attachment made to telephone company facilities without the knowledge or consent of the person whose telephone is involved.

SENATOR FOX: I see. And your second definition - tampering?

MR. BITTIG: "Tampering" we used in connection with book-making cases, which again is the type of case where the attachment is made with the knowledge and consent of the customer whose telephone is tampered with or attachments made. They generally did that, the bookie, in agreement with the customer and they would run extension stations out of the house through a cellar, along a backfence, into another house, and they would get paid pretty well for doing that. Some of them told me that they got paid anywhere from twenty-five to fifty dollars a week just to permit the telephones to be used that way during afternoon hours.

SENATOR FOX: And your third definition - cheating?

MR. BITTIG: Cheating. That is the case where I, having one telephone, want another one in the bedroom and either I, myself, if I am sufficiently familiar with how to run a pair of wires from a connecting block to a bedroom, would do it myself or I would have an electrician who knows

his way around do it for me.

SENATOR FOX: In other words, your understanding of the terminology "cheating" is where it is done by the customer but not for the purpose of violation of criminal law. It would not involve violation of the criminal law.

MR. BITTIG: That is correct. Just to save himself fifty cents a month-- seventy-five; I'll take it back.

SENATOR FOX: I see. In connection with the attachment of a recorder to a telephone, what are the regulations of the telephone company in connection with that? They file a tariff on that, do they?

MR. BITTIG: Yes, sir. There are two tariffs filed; one set of tariffs with the Federal Communications Commission and the other with the Board of Public Utility Commissioners in New Jersey, and those regulations provide simply that no telephone may be equipped with a recorder unless a beep is attached to the system. In that connection the telephone company provides what is called technically a recorder connector and no telephone is permitted to be used, no recorder or recording instrument is permitted to be used in connection with any person's telephone unless it is equipped with a recorder connector and beep. The violation, the penalty for violation of that is not penal; it is purely a violation of the company's tariff regulations on file, and the customer may have his service disconnected if he continues to violate the rule after a warning.

SENATOR FOX: In other words, you don't know at this time whether a violation either of the regulations of the FCC tariff

or the PUC tariff would constitute a violation of the penal code?

MR. BITTIG: Well, I haven't specifically looked into it but I don't believe that it is a violation of the penal code. It's merely a violation of the company's tariff regulation.

SENATOR FORBES: Do you know whether George Yeandle and Whitie are the same person?

MR. BITTIG: I believe that Whitie is the alias for George Yeandle, that he was known as back in North Hudson days. I don't know whether he lost that nom de plume or not.

MR. THURING: Mr. Bitting, if a telephone lineman working in the field required pair and cable numbers on a given telephone and he wanted to get that information from the central office, would he call in by central or just ask for that information?

MR. BITTING: When you say "he," you mean an employee of the company?

MR. THURING: An employee of the company, yes.

MR. BITTIG: Well, I think probably Mr. Curtis may be able to answer that question for you, Mr. Thuring. I am not too familiar with that.

MR. CURDARI: Does the telephone company permit individuals who are not employees of the company to service their equipment at any time?

MR. BITTIG: I think I can pretty certainly say that it never does.

MR. CUNDARI: Was George Yeandle ever permitted, or did he have permission to service New Jersey Bell Telephone Company

equipment after he left the employ of the telephone company many years ago?

MR. BITTIG: He never was given permission by anybody officially in the telephone company to do anything of that kind.

MR. CUNDARI: Would the telephone company permit, without investigation, as many as a hundred, two hundred, or three hundred telephones in one service in a private home, a private club, a night club; in other words, in a building where you don't presumably feel that 300 phones should be,-- such as a large industrial building where you would assume there might be 300 phones in there. Would you, without investigation, permit 300 phones in a private establishment?

MR. BITTIG: No, sir.

MR. CUNDARI: The answer is, no, sir?

MR. BITTIG: No, sir. I can make that even stronger: We have had for some years and have today a regulation in effect that if a person applies for more than one telephone at any location, residence or business, it is the manager's duty, if he does not know that this individual is a substantial business person, it is his duty to send a representative out and make a personal visit of the premises.

MR. CUNDARI: I see. Now, that's for all New Jersey listed telephone numbers that emanate from a central office in Jersey some place. What would happen if they were New York telephone numbers and the numbers are being received in New Jersey? Would you have any record of that?

MR. BITTIG: That would be what we would call foreign exchange service, and the New Jersey Bell Telephone Company

would have a record on that, and my office collaborates very closely with the New York Telephone Company in all of those cases.

MR. CUNDARI: Then if a private establishment in New Jersey had as many as a hundred, two hundred or three hundred telephone numbers of a New York exchange, you would be aware of that in New Jersey?

MR. BITTIG: We should be aware of it, yes, sir.

MR. CUNDARI: Thank you very much.

SENATOR SHERSHIN: Mr. Bittig, this is just for information: What can or what should a customer do if he suspects that his wire is tapped?

MR. BITTIG: He should immediately call the repair service, or he could call the commercial office and report it. A report to either one of those places would be given prompt attention. I think Mr. Smith testified yesterday that we try to go after those cases within a two-hour period, or something like that. But those would be given prompt attention as are all calls of trouble on the line. These so-called wire tap complaints that we would receive are all classed in the same category of trouble, plant trouble on the customer's line. Whether he reports a noisy line or a cut out, or a "can't hear," all those reports would be reported to the repair clerk or to the commercial office and there they would be cataloged on the line card and a repairman would be sent out just as promptly as he can be sent out. That is the routine as I understand it.

SENATOR SHERSHIN: Well, you were here and heard the testimony, I believe, that was given yesterday by Mr. Spindel where he said that a wiretap could not be detected today. Do you have men especially trained in determining whether the line has been tapped or not.

MR. BITTIG: I know of no specially trained men. I think all of our people are sufficiently well trained and alerted to look for trouble spots in connection with wiretapping, and it would be only the very unusual case - and of course I don't know what Mr. Spindel is referring to when he says that he has a couple of schemes that nobody knows anything about. Well, maybe/<sup>nobody</sup> knows anything about them; I don't know, but our people are generally trained to run down, to detect the generally known methods of wiretapping.

SENATOR SHERSHIN: Well, you did testify to some back strapping which is done by the telephone company itself. Does the company have records, or does it keep records every time a back strapping operation goes into effect?

MR. BITTIG: I couldn't answer that, sir. I would believe that they know from the records in the office what wires they have connected with what wires or what terminals, but I don't know that as a fact.

SENATOR SHERSHIN: Assuming that a person felt that his wire was tapped, would it be your recommendation that that party use an outside line to advise the telephone company of his suspicions?

MR. BITTIG: Well, we would, if we knew beforehand-- we'd suggest to him to get to another telephone and let us know.

SENATOR SHERSHIN: Just so that we could have it in the record and, of course, disseminate this as public information: Assuming my lines were tapped, it would be to my advantage not to use my telephone actually to call you but to go to the next-door neighbor or someone else or even to a toll station and call you direct and say, "I think my wire is tapped," and in that way get in there before the tap is removed or whatever equipment they have.

MR. BITTIG: Well, that would be the thing that a person who was alert would do rather than use his own telephone if he suspected it was being tapped.

SENATOR FORBES: Senator Forbes asked the question before about law enforcement agencies. I'll make mine more specific: Has the telephone company ever done any backstrapping at the request of any law enforcement agency?

MR. BITTIG: To my personal knowledge, sir, never. I have never been asked by anybody to do anything like that nor have I been asked to do anything else for law enforcement authorities which in good conscience anybody couldn't do.

SENATOR FORBES: Mr. Bittig, I just have a couple more things. The regulation about a beep/<sup>in</sup> the conversation being recorded to alert the other person on the other end of the line what is that, an FCC regulation?

MR. BITTIG: That started out, sir, as a Federal Communications Commission regulation.

SENATOR FORBES: Does it carry any aspects of enforcement or penalty for non-observance; does it violate any statute if there is no beep?

MR. BITTIG: No statute that I know of. It is purely a regulation, as I would call it, that was instituted by the Federal Communications Commission on all Bell system companies, providing for the installation of beeps in connection with recorders and the penalty is that a person who does it, and after a warning doesn't have his recorder equipped with a beep, the next time we make an inspection and find it still there and working, we have the right to disconnect the service. That is the penalty.

SENATOR FORBES: That is the only penalty you know of?

MR. BITTIG: So far as I know, yes, sir.

SENATOR FORBES: And secondly you mentioned your definition of a wiretap as the actual cutting into the wire. What would you consider some of the methods that were demonstrated here yesterday for tapping a wire that do not involve cutting into a wire?

MR. BITTIG: Well, I am not too sure about that, sir, because my opinion is based upon the statute of New Jersey and, as I recall it, it says that anyone who cuts, taps, breaks, or in any way connects with a telephone line of another, is guilty of a misdemeanor.

SENATOR FORBES: I think that is the first part of the statute and it is separated by a semi-colon, which I imagine has considerable significance, and goes on to say, "reads, takes, copies, makes use of, discloses, publishes, or testifies concerning a message, communication or report intended for any other person and passing over any such telegraph or telephone wire or cable in this state;" In other words, anybody who learns of the contents of the

contents of the telephone conversation, it is separate and aside from the splicing of the wire.

MR. BITTIG: Seemingly, that particular section would embrace inductive--

SENATOR FORBES: Inductive tapping.

MR. BITTIG: Yes, inductive tapping.

SENATOR FORBES: That's all I have. Well, thank you very much, Mr. Bittig.

MR. BITTIG: You're welcome, sir.

SENATOR FORBES: Would Mr. Curtis please come forward?

E D W A R D A. C U R T I S, 86 Woodland Road,  
Short Hills, New Jersey, being duly sworn according  
to law, testifies as follows:

EXAMINATION BY MR. FORBES:

Q Will you give us your occupation, Mr. Curtis?

A Vice President, New Jersey Bell Telephone Company.

SENATOR FORBES: I wonder if, before we get into a number of specific questions; one reason I believe you are here is that we asked if somebody in the higher echelons and with the power of policy and decision making, etc., could explain to the Committee the telephone company's views about wiretapping. It is not a new subject, I am sure, to the telephone company; what its views and policies and thoughts are, in general terms, on the subject of wiretapping.

MR. CURTIS: Yes, I can do that, I think. I would say that we are unalterably opposed to wiretapping. We

have a federal statute and a state statute which, of course, guarantees the secrecy of telephone communication and we make every effort to live up to and be vigilant in carrying out those particular statutes. I might say that we have rather a selfish point of view and I would think also, from an economic standpoint; I think over the 75 years of the existence of the telephone, people have come to rely upon it as a face-to-face conversation and they expect secrecy in the use of the telephone. We don't want to do anything which of course would interfere with that thinking on the part of people and which would ultimately interfere with our business. To carry out that policy, we try to select our employees and bring into the organization competent people, people who can be trusted, and when they are brought in they are indoctrinated with this principle which we follow; they are given the various statutes and the laws in a booklet form; they are asked to read them and to make sure that they do read them we ask them to sign a card, which is in the form of a pledge that they will carry<sup>out</sup> to the best of their ability the statutes and these regulations. Throughout the entire training of the employees, throughout their entire life, they are trained in that principle. As Mr. Bittig has said, we call it to their attention by posting signs in every one of our buildings about the secrecy of communication. If inadvertently any of the girls are apt to give indications to the supervisor that their keys are open, they are warned, and if there is any case that indicates that they are doing it maliciously, they are

discharged. We think that we observe all the vigilance we possibly can to maintain the secrecy of communications.

SENATOR FORBES: Thank you, Mr. Curtis. How many instances of wiretapping have been discovered by or brought to the attention of the telephone company over the past 15 years? Have you any idea?

MR. CURTIS: Again, we would have to go into the three categories under which we consider these various cases, as Mr. Bittig explained. To the best of my knowledge, and now I am talking of my own individual experience, I have never encountered a really true case of wiretapping as such, as defined by Mr. Bittig. I think if you go back say 15 years, by hearsay there might be - I recall just hearsay, because I was not in that area in most of my career until I became general commercial manager - it was in the southern part of the State but there was a case of finding a man on a pole and his being prosecuted. That is the one I know about.

SENATOR FORBES: Is there any reluctance on the part of the telephone company to report to law enforcement agencies if they do find out there is a tampering or a tap?

MR. CURTIS: I would say tampering--our rules and regulations and the tariffs under which we operate give us rules and regulations which we follow on tampering and, in my judgment, it seems to me that they do not fall into the category of cases which could be prosecuted. If we found an out and out wiretap case, I am sure that being referred to our legal department, our legal people would see that it was put into the hands of the proper people for

prosecution.

SENATOR FORBES: Have they ever done so?

MR. CURTIS: Not to my knowledge, no. Except this one case where they found a man on a pole.

SENATOR FORBES: Specifically, how do you justify the installation of 300 telephones in the Top Hat in Union City with direct lines to New York City in the years 1942 to 1945?

MR. CURTIS: I never knew there were 300 telephones in the Top Hat.

SENATOR FORBES: How many did you think there were?

MR. CURTIS: Frankly, I don't know. Again, I was not operating as a state-wide operation at that point.

SENATOR FORBES: And you have no records on that particular case? I mean, you personally have no familiarity with it?

MR. CURTIS: No. No personal familiarity with it, but we probably have records which might go back, which would indicate the number of telephones installed there.

SENATOR FOX: Mr. Curtis, since reference has been had to these 300 telephones in this Top Hat establishment, would that come under the heading of "Tampering" as has been defined by Mr. Bittig and yourself as an extension of telephone service? It would, wouldn't it?

MR. CURTIS: Well, it could be the installation of 300 individual telephones, which would not have to be tampered with.

SENATOR FOX: Well, can I ask you this: Would those installations be by the telephone company?

MR. CURTIS: Well, I'm sure we wouldn't make such an installation today. I don't know enough about the Top Hat to tell you exactly what happened.

SENATOR FOX: Let me ask you this question then: Let's assume for the moment that that number of phones would not be installed by the company. Could you enlighten us at all as to where the equipment could or would have been obtained for this illegal extension of telephone service? Do I make my point clear to you, sir?

MR. CURTIS: I think so.

MR. BITTIG: May I interrupt for just a moment at this point? I am familiar with the Top Hat service and where 300 telephones ever come into the picture is something totally unheard of. That is all out of kilter.

SENATOR FOX: Let me direct this question to Mr. Bittig for a moment if it comes without disturbing your activities: Let's assume like some of the board rooms up in Bergen County--

MR. CURTIS: Well, may I just make one thing clear: As of today, any such case would come under my sphere of activities. In 1942 I was only in charge of a small area of the company in the southern part of the State.

SENATOR FOX: All right. I will direct my question jointly to you then: Let's assume like in some of these large board rooms where we know there were a number of phones in these establishments and they came under the heading of "Tampering," Number 1, would they be installed by the telephone <sup>company?</sup> Let's take some of the Erickson rooms up

in the Bergen County investigation.

MR. BITTIG: I would answer that, sir, by saying that the telephone company has never installed, during the past 20 years, anything that would look like that at all. Any cases of so-called wire rooms during that period--

SENATOR FOX: So-called what?

MR. BITTIG: Wire rooms. Any cases of so-called wire rooms, such as the Erickson enterprises were supposed to have around Bergen County or other parts of the State, were all rooms that were equipped by means of tampering. Telephones were run in by persons such as Yeandle, and the taps were taken from other customer's telephones and run into those establishments which we catalog as so-called wire rooms.

SENATOR FOX: Well, that leads then directly, Mr. Bittig, to my second question, which I would like to be enlightened on if you can: Where would the equipment necessary for these extensions be procured by these individuals?

MR. BITTIG: We pursued that, sir, at the time of Mr. Yeandle's arrest. I was present when he was examined, and he stated very frankly that he could buy some of the equipment from electrical houses, from war surplus establishments to which the Army and Navy had sold telephone equipment manufactured by Western Electric Company and other electrical manufacturing companies that manufactured telephone equipment, that it was no problem for him to get equipment. In this automobile that we made an inventory of when we brought it over from Flushing, we saw some of that equipment. The Deputy Attorney General saw it, and they had a complete analysis of all of that equipment at

that time. Some of it was this war surplus equipment; some of it were telephone instruments, - there were at least two that I know of - that were originally manufactured by one of the other telephone manufacturing companies. Two of them were brand new Western Electric instruments that had never come out of the boxes. I tried to trace some of that equipment. I traced those two Bell System telephones to the warehouse in Philadelphia, and at that place the record of those two telephones was lost and it was presumed that they were stolen by someone. Other means of Yeandle and his ilk in getting that type of equipment have been this: In former days, when telephones were installed in apartment houses and also other multi-family type houses, some factories for instance, the service was disconnected but the telephone company didn't immediately go in there and take the plant out and bring it back to the warehouse; it left it there until it could get time to recapture that equipment. In the meantime the janitor of the apartment house had gotten there first, took the stuff down to the cellar, kept it in a bin somewhere, and sold it to second-hand dealers or to people whom he became acquainted with in the business of wire-tapping or using telephones and wires. That is the means by which some of these people have gotten that equipment.

SENATOR FOX: So that, in other words, so far as the telephone company is concerned, under no circumstances, if I get this correctly, do you sell commercially any of this equipment?

MR. BITTIG: That is positively so. We do not sell telephone equipment to anyone.

SENATOR FOX: To any source whatsoever.

MR. BITTIG: That is correct. Now, I should like, if I may, explain what I know about the Top Hat. I have absolutely no knowledge, nor have I ever heard, that three hundred telephones from New York ever were working at the Top Hat. Whoever brought in that story certainly has a wonderful imagination. I checked out that case; I worked with it, worked with the Prosecutor's Office; that was again during the regime of Judge Grimshaw and Si Fisch, when they were acting as special prosecutors in Hudson County, and to the best of my recollection, there were 29 or 30 telephones that had been connected into a wire room on the floor, the first floor, of the so-called Top Hat Hotel. Now, most of those telephones were installed as individual lines in private rooms of guests of the hotel, and the wire men, whether it was Yeandel or not I don't know, because I did not ever hear of Yeandel being connected with that job - whoever the wire man was, connected extension stations from the individual line telephones in those rooms and brought them into the wire room without the telephone company's knowledge or consent. Those are the facts, gentlemen, as I know them.

SENATOR FOX: I think it should appear on the record, and I assume it does, that these latter statements are being made by Mr. Bittig and not by Mr. Curtis.

MR. CUNDARI: Mr. Bittig, in the Yeandel investigation, when he was indicted and convicted, was it not disclosed that there were 300 phones in the Top Hat at that time?

MR. BITTIG: Not to my knowledge, sir. I never heard of it until just now.

MR. CUNDARI: Until I asked the question ten minutes ago, that was the first time you ever heard about 300 phones?

MR. BITTIG: Yes, sir.

MR. CUNDARI: All right, let me ask you this: If I wanted to install a telephone in my home and wanted to have a New York exchange, to what telephone company would I go? To the New York Telephone Company or the New Jersey Telephone Company?

MR. BITTIG: If you were in New Jersey, you would probably go to New Jersey, and New Jersey would work the matter out with the New York Telephone Company.

MR. CUNDARI: All right. Now, does it surprise you to know that the 300 phones that were in the Top Hat all had New York exchanges? You made a statement before that the 20 or 30 odd phones which were put into that building, although the building doesn't simulate a hotel in any nature, were of New Jersey phone exchanges or New York phone exchanges?

MR. BITTIG: Again, sir, I must say that I never heard of 300 telephones, whether they were foreign exchange or not, in the Top Hat Hotel.

MR. CUNDARI: How about the 20 or 30 phones that you admit were in the Top Hat Hotel? Were they New York exchange numbers or New Jersey?

MR. BITTIG: They were all New Jersey telephones.

MR. CUNDARI: Because our information is that the 300 phones we are talking about, all had New York exchange numbers. Is it possible that you would have no knowledge of that?

MR. BITTIG: I don't think so, sir. I really don't think so. I think that I should have known if there were 300; certainly if there were 300 New York foreign exchange telephones in the Top Hat, it should have come to my knowledge, because I personally worked with that case with the prosecution.

MR. CUNDARI: Thank you, sir.

SENATOR SHERSHIN: Mr. Bittig, through the chair, if you please: Could you tell the Committee how many telephones are in the Robert Treat Hotel?

MR. BITTIG: No, sir.

MR. CURTIS: Yes, I could.

SENATOR SHERSHIN: How many?

MR. CURTIS: I don't know offhand but we have a record of it.

SENATOR SHERSHIN: Or the Berkeley Carteret Hotel, or any other large hotels in Atlantic City?

MR. BITTIG: I wouldn't know about that, sir, that--

MR. CURTIS: The answer to that is, yes, of course we would know.

SENATOR SHERSHIN: You would know. Would you guess that there might be 100 telephones listed for the Berkeley-Carteret, Mr. Curtis?

MR. CURTIS: What do you mean by "listed," Senator?

SENATOR SHERSHIN: I am talking about private lines into the Berkeley Carteret.

MR. CURTIS: Other than the hotel P B X extensions?

SENATOR SHERSHIN: Just a plain- Yes.

MR. CURTIS: I wouldn't know. There could be. Our tariffs permit it; as long as they retain the hotel extension, they could have individual lines to their respective rooms or apartment. That is a tariff regulation which is permitted.

SENATOR FOX: May I direct this question again to Mr. Bittig: Is it possible, then, leaving aside any bootleg equipment, so to speak, for individuals today to procure commercially from any manufacturing company telephonic equipment?

MR. BITTIG: Yes, sir.

SENATOR FOX: That is true, then?

MR. BITTIG: Yes, sir.

SENATOR FOX: Can you tell us whether or not, when telephonic equipment is sold, such as receivers or the box containing the equipment here, any numbers are kept or any identification kept with respect to that?

MR. BITTIG: I wouldn't know that, sir, because these companies are independent companies and I don't know what their practices are.

SENATOR FORBES: I would like to resume with a few questions of Mr. Curtis. Has the telephone company discharged any employees over the past 15 years for the reason that they were listening in on conversations or giving

out information that they shouldn't, such as pairs, cables or bridging information, or performing outside employment in some way connected with wiretapping?

MR. CURTIS: We have had some discharges for listening in, yes, in the past 15 years.

SENATOR FORBES: You what?

MR. CURTIS: We have discharged people for listening in in the past 15 years.

SENATOR FORBES: Can you estimate how many?

MR. CURTIS: I'm afraid I can't, in 15 years. I would have to go back over the records.

SENATOR FORBES: Well, would you say it is a large number, or a small number - fifty?

MR. CURTIS: I would say it was a small number.

SENATOR FORBES: Any in the last two years?

MR. CURTIS: I wouldn't know without going back over the records, Senator.

MR. KERBY: Do you know whether or not these people were paid for listening in or if they did so on their own initiative?

MR. CURTIS: No, I would say they did so on their own initiative. They were breaking the rules under which they were supposed to be operating.

MR. THURING: Have any of these employees been discharged for giving out information with relation to pair and cable numbers, to your knowledge?

MR. CURTIS: Not to my knowledge. I would have to go over each individual record to answer that question.

MR. THURING: While I am on that particular subject, are you familiar with the procedure used by the telephone company to secure or make sure that the information relative to cable and pair numbers is not given out indiscriminately?

MR. CURTIS: Yes.

MR. THURING: And will you tell us how that operates, please?

MR. CURTIS: Well, the assignment bureau, in other words, first of all you have the traffic assignment bureau, which maintains complete records of the telephone numbers and they in turn give that to the plant assignment bureau in blocks, depending on the size and the frequency with which connections are made, of X number of telephone numbers. The assignment bureau has books in which all cable records are kept. Those cable records would show the cable number and the pairs, and they are drawn on maps in accordance with the cable lay-out, so that they know the terminals. The only people who have that record is the assignment bureau. Now, the only way you can get a cable and pair number is, first of all, on the installation of a new telephone you must know where you are going to connect that. Therefore, the assignment bureau gets the service order, they assign a telephone number, and then they put the pair and cable number on that order. That is a nine-copy order for the installation of that particular service. That particular service order goes to the installer, it goes to the wire chief, goes to the director of the department, and it goes to the commercial department, so that the basic

records of the company are set up from that service order. The man, when he goes out to install that telephone, will have to make that cross connection to get back into the equipment, because all of the equipment works by telephone number and not by cable and pairs.

MR. THURING: So that, if there were a man in the field who either lost the information he started out with or he required information--

MR. CURTIS: Well, if he lost the information he started out with, he would be done.

MR. THURING: Well, suppose he called the office and asked for the cable and pair--

MR. CURTIS: He would have no reason to call because that particular case would be on the service order.

MR. THURING: I mean, suppose he did, whether he had a reason for it or not, would the information be given to him over the telephone?

MR. CURTIS: Well, "what service order are you working on?" - if he didn't have the service order number, the man in the test bureau, or in the assignment bureau, couldn't talk to him about that particular service order. You have to get the two of them matched up together to talk about it; in other words, if he lost the service order, he would be done, he couldn't do anything.

MR. THURING: Suppose he has just the telephone number and he wanted to know where to hook in to that telephone and he required the cable and pair numbers, could he call the office and get them?

MR. CURTIS: Well, for what purpose?

MR. THURING: For the purpose of wiretapping, I assume.

MR. CURTIS: No, not if all our employees were diligent in following the regulations, he could not get it.

SENATOR FORBES: In that connection, the committee has received testimony at closed hearings to the effect that the telephone company and/or its employees have given out the pair and cable numbers.

MR. CURTIS: To whom?

SENATOR FORBES: To law enforcement agencies. Whether it is being done against the company's policy; if that is so, what happens to the employee?

MR. CURTIS: First of all, you say "the telephone company." The telephone company as such has a policy of not giving it out to anyone, including law enforcement agents.

SENATOR FORBES: So if it is done by an employee, it is done contrary to the regulations.

MR. CURTIS: Contrary to the regulations; that would be right.

SENATOR FORBES: And the premise is that they do it to assist in law enforcement and it is a laudatory effort, although contrary to regulations, and the same thing could be done where it is not in connection with law enforcement but might be for a gratuity or for purposes that are not connected with law enforcement. Is that the principle on which the telephone company operates?

MR. CURTIS: No. I think that is making some assumptions. We would operate on the basis that they are not permitted to give it out to anyone.

SENATOR FORBES: And if it is drawn to your attention that they do, what action would you take?

MR. CURTIS: They would be dismissed.

SENATOR FORBES: On another subject - what monitoring service does the telephone company offer to its subscribers?

MR. CURTIS: We have a customer consultant service in which we have used some monitoring service merely to get the speed of answering or the manner in which an employee comes on the line and to get enough information to set up training contacts to try to improve the service rendered in a particular company or a particular office.

SENATOR FORBES: Would you tell us about the instance of that monitoring at the Newark City Hall last summer?

MR. CURTIS: Well, in February, I think, one of the employees of the Department of Parks, Buildings and Parks, under which the telephone service comes, I presume, asked if we had any service to improve their telephone service, so it was referred to the Customers' Consultant Service group and they interviewed the business manager of the city of Newark and told him about this service and they said that they were interested in doing something to improve the telephone service, courtesy, speed of answer, and whether or not people were being handled in a courteous manner, and through a letter that we received from the Mayor, he asked us to come in and make a survey and then to give them this consulting service and training by which they could train employees to give better service in the City Hall. We went

in and made some surveys and we do that sort of thing on a sampling basis, and we made every attempt to help them improve their telephone service.

SENATOR FORBES: And when the protests hit the press, what action did the telephone company take? Or what action was taken that you know of?

MR. CURTIS: Well, we just stopped right there.

SENATOR FORBES: Have you changed your policy in providing that type of monitoring service?

MR. CURTIS: Well, I think, because of the misunderstanding of the method under which it was done-- we can go in, because we have enough background knowledge, perhaps, to set up a theoretical type of training contacts, as we call them, to indicate to people how you do the thing the wrong way and then teach them how to do it the right way.

SENATOR FORBES: Without actually monitoring the line?

MR. CURTIS: That's right.

SENATOR FORBES: In other words, the new policy is that you don't monitor existing installations unbeknownst to the customer?

MR. CURTIS: Well, that was not unbeknownst to the customer, Senator--

SENATOR FORBES: Well, unbeknownst to the person using the telephone.

MR. CURTIS: No, the letter which the Mayor wrote to us, and in which it was specifically stated that everyone in the organization would be informed that this was going on, and I believe that was done.

SENATOR FORBES: Are there any further questions?

MR. CUNDARI: One other question; one on the Top Hat, Mr. Curtis: Where can we obtain records as to the calls that went in to the telephone company at the time or during the period that we claim three hundred phones were installed in the Top Hat?

MR. CURTIS: Where?

MR. CUNDARI: Are the records available?

MR. CURTIS: No, they are not-- you say as to where the calls--

MR. CUNDARI: Well, wouldn't there be charges on those calls?

MR. CURTIS: Well, the billing records would be disposed of under FCC regulations, so that--

MR. CUNDARI: For what period of time?

MR. CURTIS: That was what? 1942?

SENATOR FORBES: It is listed here as 1942 to 1945.

MR. CURTIS: The billing records would not be available. The basic records, perhaps, of any installations would be.

MR. CUNDARI: Could they be obtained readily?

MR. CURTIS: Well, we have a morgue, as we call it. It might take some doing to do it.

MR. CUNDARI: One other question: Do you subscribe to--

MR. CURTIS: Now, just let me make one statement about this foreign exchange, which Mr. Bittig perhaps is not familiar with as to the practice. But any foreign exchange service from Philadelphia or New York requires a service order, a copy of which has to come to New Jersey, for

instance, because the New Jersey portion of that work would have to be done by the New Jersey plant, and then, after the New York plant was in, the two would have to be brought together.

MR. CUNDARI: Now, one question on pairs: Do you subscribe to Mr. Spindel's theory that pair numbers and cable numbers are not required in order to consummate a tap?

MR. CURTIS: Of course, I didn't hear Spindel's testimony and I don't subscribe too much to what Mr. Spindel says because he seems to--

MR. CUNDARI: Let me put the question this way: Do you say that it is a requirement that the pair numbers and the cable numbers be known in order to consummate a tap?

MR. CURTIS: No, I wouldn't say that. I think that it depends on where you are going to put the tap. If you are going to make a tap, you've got to say where you're going to put it; in other words, if you tap an instrument there, you don't need the pair or the cable number.

SENATOR FORBES: Well, thank you, Mr. Curtis. If there are no further questions, I want to say that the Committee appreciates your testimony here and the information you have given us. It has been suggested to me by a member of the Committee that we do point out to you and all of the witnesses here today that they have immunity from arrest in connection with the testimony they are giving to this Committee if they have a subpoena with them.

MR. CURTIS: I believe I have a subpoena back there. Thank you very much.

SENATOR FORBES: Next, Mr. Robert Greene.

R O B E R T W. G R E E N E, being duly sworn as a witness according to law, testifies as follows:

BY SENATOR FORBES:

Q Will you give your full name and address?

A Robert W. Greene, 82 Ridge Lane, Levittown, New York.

Q Mr. Greene, could you give us your present occupation, please? A Presently a reporter and re-write man for NEWSDAY.

Q Did you recently receive the George Polk award for suburban reporting? A I did.

Q And were you employed by the New York City Anti-crime Commission? A The New York City Anti-Crime Committee, Inc., in the years 1951 to 1955.

Q And what was your capacity with that committee? A Senior Staff Investigator.

Q In this position were you in close liaison with the New York State Crime Commission? A During the years 1951 to 1952, I worked in close connection with the New York State Crime Commission with respect to their investigation of the New York-New Jersey Waterfront.

Q Will you explain this situation? Incidentally, if I might just ask at this point - did you ever serve as adviser to the Kefauver Committee on the New Jersey waterfront matter? A Well, I think I can put it all into one bundle there. I originally was a newspaper reporter for the Jersey Journal in Jersey City. During that time - that was 1948, 1949, and 1950, I more or less specialized

in crime reporting with particular emphasis on the Jersey City and Hoboken waterfronts. While I was with the Jersey Journal, I took a short leave of absence and served in an advisory capacity to the O'Connor Committee, which was the sort of three months successor to the Kefauver Committee; it was just wrapping up the end part, of which Dick Moser was counsel. During that time I did give them particular information and worked in connection with them on Jersey waterfront matters and certain criminal matters in Hudson County and Essex County. I also testified as an expert witness in 1952 and again in 1953 on Jersey City waterfront matters before the Senate Armed Forces Committee and before the United States Senate Interstate and Foreign Commerce Committees.

Q In the course of your investigations, did you ever have any contact with Biffo DeLorenzo? A Mr. Forbes, if I could just interpolate here a second, and that would bring us into the State Crime Commission, when I went over with the New York City Anti-crime Committee, I had been there about two months when the Hudson County Prosecutor at that time, Horace Roberson, through Isidore Dworkin, an Assistant District Attorney, requested my office to loan my services to a special waterfront grand jury that had then been impaneled to investigate the New Jersey waterfront. I was loaned by that committee to the Hudson County Prosecutor's Office for a period of three weeks, during which time I provided certain information to that office and also drew up the questions that Mr. Dworkin asked various witnesses before the Hudson County Grand Jury - approximately twenty some odd

witnesses. Subsequent to that time, the New York State Crime Commission, in its investigation of the waterfront, was referred to me by various persons as a person who knew something of the Jersey City waterfront, with which they were not too familiar. Their investigation encompassed both New York and New Jersey. I was asked to go down and lunch with Mr. Leslie Ox, who was assistant counsel to the commission, which I did, and after further consultations between Spruel Braden, the chairman of the New York City Anti-crime Committee, Mr. Ox, Mr. Theodore Kindell, who was the counsel for that committee, I was asked to work with Peter M. Brown, assistant counsel, who was in charge of preparing the investigation and conducting the investigation of waterfront matters pertaining to Jersey City, Hoboken, and the general Jersey City waterfront. Subsequent to that time I worked with Mr. Brown for slightly more than a year on Jersey waterfront matters.

Q Now, would you tell us about Biffo DeLorenzo, who he is, and so forth? A Biffo DeLorenzo is now deceased; he was a Jersey City waterfront character; he was a brother-in-law of a notorious hoodlum known as Charles (Charley) McCue, which is a nickname for Yanowsky. Mr. Yanowsky had a long and lurid criminal record which included incarceration at Alcatraz for various federal violations and various state violations in New Jersey. Mr. DeLorenzo, or Mr. Yanowsky controlled a segment of the Jersey waterfront for a number of years before he was finally icepicked to death and had his body dumped in Clifton, New Jersey. Mr. DeLorenzo succeeded to Mr. Yanowsky's position on the waterfront, his

brother-in-law's position, in the year about 1949, coincident with the election of Mayor John V. Kenny of Jersey City. Mr. DeLorenzo did have a criminal record that included an arrest, I believe in 1943, in Hackensack, New Jersey, for numbers and then again in about 1944 or 1945 for assault. He, by the way, explained that assault to me and in defense that somebody was beating one of his relatives, in a fist fight with one of his relatives, and following his natural prerogatives for decency and fair play, Mr. DeLorenzo took to the person who was beating his relative with an iron bar and clobbered him. He was arrested for that. I don't recall on either case whether Mr. DeLorenzo was convicted, but that can be ascertained by an examination of his criminal record which is on record with the Jersey City Police Department. Mr. DeLorenzo as a personality, I would like to interpolate here, was what one would call, well, if we were to classify him--

SENATOR FORBES: Well, could we get to the point of the wiretap aspects? Would you take a look at this Exhibit A-21? That represents a telephone conversation between you and Mr. DeLorenzo and Nicholas Scaturchio.

A This represents what, to my recollection at this point, is a reasonably accurate facsimile of a conversation which I held, two conversations which I held with Mr. Frank DeLorenzo over a telephone.

Q Do you have any idea who recorded that telephone conversation? A I have no idea who recorded the conversation because at the time it was recorded I was not advised of the fact that it was being recorded, and my first knowledge of the conversation and the fact that it had been

recorded was brought out when either Mr. Kenny announced details of the conversation and released copies of it, or I am not quite sure of whether it was when Assemblyman Bruno Val Krawczyk introduced in the New Jersey Assembly this conversation as part of some bill.

Q In your opinion, was DeLorenzo capable of recording the conversation? A Well, that reflects on Mr. DeLorenzo's own mental level. I am not a psychologist but I would say that Mr. DeLorenzo, and my knowledge of him which went over several years, was rarely<sup>able</sup> to talk in words or understand words of more than two syllables. He was a person who had occupied himself entirely with a criminal living on the New Jersey waterfront and driving a truck--

Q In other words, you don't think he was? A I don't think that he was at all.

Q Then, in short, the purpose of your testimony here is to bring out the fact that there was a rather complete wire tap made of a conversation unbeknownst to you and you presume it was not set up by Mr. DeLorenzo. Is that it? A I have no knowledge but I don't think that Mr. DeLorenzo was capable of setting up such a tap.

MR. KERBY: Can you state whether or not you knew who made the tap?

MR. GREENE: I have no knowledge of who made the tap. I presume a tap was made on the basis of the fact that this is a reasonably accurate facsimile of what was said, and it was too long, certainly, to be retained in Mr. DeLorenzo's memory and transcribed with that reasonable accuracy.

SENATOR FORBES: Do any members of the Committee have any questions they would like to ask?

SENATOR SHERSHIN: Is the witness going to be here all day?

SENATOR FORBES: No. I think he is planning to leave.

SENATOR SHERSHIN: No. questions.

SENATOR FORBES: All right. Thanks very much, Mr. Greene.

ATTORNEY GENERAL RICHMAN: Senator, may I just interject for just a moment? I meant to make this request earlier. I don't know whether it has been arranged or not, but if it hasn't, I would like to request that the transcript of the testimony of Mr. Spindel of yesterday afternoon be made available to me just as promptly as possible.

SENATOR FORBES: We will note the request.

MR. RICHMAN: Well, I am wondering if I could get it; I think I could make the necessary arrangements to have it done, if I could have your permission to have it done immediately, without in any way interfering with it here.

SENATOR FORBES: Well, it was an open hearing and I see no objection to it. Does any member of the Committee see any reason that that request should not be complied with?

(No objection by members of the Committee)

SENATOR FORBES: Will the stenographer note that the Attorney General would like a copy of Mr. Spindel's testimony?

MR. RICHMAN: Thank you. And it will be supplied as soon as possible?

SENATOR FORBES: Yes. It will be supplied to all members of the Committee; it is public testimony and as quickly as she can transcribe it, you will get a copy.

MR. RICHMAN: Well, I think there is another individual who can read the notes and it can probably be done now, as I understand it.

SENATOR FORBES: I believe Mr. Thevos has made arrangements to have it done now.

MR. RICHMAN: Thank you very much.

MR. CUNDARI: It has been our experience that we are not getting enough copies for all the members of the Committee. Can we make certain that we get enough for all members at this time.

SENATOR FORBES: Well, there is some question as to where we will get the money to pay for them. We have a bill to get through your House yet.

The Committee Counsel would like Detective Louf to come forward, please, to clear up a point.

R A Y M O N D L O U F, BEING DULY SWORN ACCORDING TO LAW, testifies as follows:

EXAMINATION BY MR. Kerby:

Q Will you state your full name? A Detective Raymond Louf, Detective, Jersey City Police Department, 390 Arlington Avenue, Jersey City.

Q How long have you been with the Jersey City Police Department, Detective? A Approximately nine years.

Q And have you been a detective most of that time? A Seven years, sir.

Q What is your position as a detective? Do you have charge of communications or anything of that kind?

A No, sir. I am a member of the confidential squad.

Q Will you tell the committee what you know about the alleged wire tap of Mr. Greene's conversation and Mr. Biffo DeLorenzo, please?

A Yes, sir. As I told you in closed session, Mr. Greene and two other gentlemen, on behalf of Frank Eggers and Frank Hague, who were former Mayors of Jersey City, attempted to frame former Mayor John V. Kenny, who was at that time Mayor of Jersey City--

Q Just a minute. I just meant what evidence you had of the wire tap.

A Oh, I thought you wanted the whole thing. I'm sorry, Mr. Kerby. I wanted to tell you the truth--

SENATOR FORBES: It has been suggested, and quite properly so, that that be stricken from the record.

MR. LOUF: I think that should be on the record, Mr. Forbes.

SENATOR FORBES: Well, you don't make the decisions, Detective.

MR. RICHMAN: Senator, I think there are some other statements with respect to the Mayor, as you call the Mayor of Jersey City, that should be stricken from the record, too.

MR. THURING: Mr. Chairman, I think that the statement made by the detective was proper in the light of the statements made by the preceding witness, impugning the integrity of the Mayor of Jersey City, or the former Mayor of Jersey City, and I see no reason why this particular witness should not be allowed to clarify his position with relation to that statement.

SENATOR FORBES: Well, I think both references to the Mayor and former Mayors of Jersey City can quite properly be stricken from the record. The only reason

why we didn't act on the other one right away, as you know, was by common consent.

BY SENATOR FORBES:

Q Now, can you testify just in connection with any facts that you might have on this particular wire tap? A Yes, sir. Frank (Biffo) DeLorenzo was a man on the waterfront. As far as I can find out, he has never been convicted or served time as a criminal, as Bob Greene said. Mr. DeLorenzo gave me a recording of a telephone conversation that he said that he took relative to Bob Greene, who just left here, who was a close associate of Frank Hague and Frank Hague Eggers--

Q We are leaving out the names of Mayors and former Mayors. A Oh, all right; I'm sorry. He was a close associate of, let's say political opposition to the powers that were in. I'm trying to --

SENATOR SHERSHIN: Strike out the paraphrase.

SENATOR FOX: You're doing all right, Detective.

The point was well made.

A -- and he gave me this tape recording of the conversation as I said, and I turned it in to my Police Commissioner. You have a copy of it there, and, as I told you in closed session, Mr. Greene was a party in the conversation, and he just said that he was and that those were his words or statements there, and he stated that he was going to ask Biffo questions as far as the New York Crime Commission was concerned.

SENATOR FORBES: I think the purpose for which you wanted the detective called was to verify that this was a wire tap. Right?

MR. KERBY: Yes, Senator.

SENATOR FORBES: Is that the purpose of calling this witness, to establish that a tape was given him of the wire tap? Right?

MR. CUNDARI: Can we ascertain who put on the tap, Mr. Chairman?

THE WITNESS: Well, you can't say that's a tap, sir. According to Mr. DeLorenzo, it was an attachment on the telephone.

BY MR. CUNDARI:

Q Did you ascertain who put the attachment on the telephone? A Mr. DeLorenzo said he did.

Q And you think he was capable of doing it? A Quite capable.

BY SENATOR FORBES:

Q Have you any idea where he obtained the equipment? A No, sir.

SENATOR FOX: Not to interrupt you, but there is one part of that transcript that I would be only too happy to read into the record so that you could see what transpired.

SENATOR FORBES: Are there any more questions that any of the members want to ask this witness before we find ourselves mixed up in Hudson County politics or State politics?

(No response)

SENATOR FORBES: Thank you very much, Detective.

Our next witness will be George Yeandle.

G E O R G E Y E A N D L E, being duly sworn according to law, testifies as follows:

EXAMINATION BY SENATOR FORBES:

Q Will you state your full name and address?

A George Yeandle, 137-28 Juniper Avenue, Flushing.

Q And your occupation? A Wait a minute, please.

I also have a place in New Jersey. I work in Jersey and I stay in a place there. My home is in Flushing. Just so we won't get mixed up later.

Q Right. And your occupation, Mr. Yeandle?

A Maintenance man. I work part time as an oil burner service man, and electrician, plumber.

Q Could you tell us about your employment with the telephone company, your length of service, different types of jobs you had with the company, and so on? A I started with the telephone company in 1922 as an office boy. My father was with the company, and the reason why I was an office boy was that I was only 13 years old and it was the only job that was there. So I worked in the office and then, incidentally, I made a check of telephones at one time and when we got the records all straightened out, we had more telephones than were manufactured on the record.

Q Could you tell us whether, when you were working for the telephone company, you had any outside employment at that time and what you knew, if anything, about wiretapping or listening in on lines by company employees? A Well, I made most of their special equipment up to 1929. There were no Bell Laboratories and if we had a special job they sent me out to look at it and then I went home and made the

equipment in my house, up until 1929. I was promised a job when the Bell Laboratories opened, but when it folded up in 1929-- when it reopened and things got better in about 1932, they only wanted college men so I wasn't needed.

MR. BITTIG: I just want to--

SENATOR FORBES: Mr. Bittig, if you can please hold your peace until Mr. Yeandle is through, you will have another chance.

MR. BITTIG: I wanted to ask--

SENATOR FORBES: Well, not at this time. The Committee seems unanimous. We will try to follow yesterday's procedure only we will be more strict.

MR. YEANDLE: Incidentally, Mr. Bittig-- I spoke to him on the phone a few times--

SENATOR FORBES: Will you just stick to the questions here?

MR. YEANDLE: All right.

BY SENATOR FORBES:

Q Did you ever do any backstrapping while you were with the phone company? A No.

MR. CUNDARI: Will you describe backstrapping?

BY SENATOR FORBES:

Q Yes, will you tell us what backstrapping is?

A Well, the only backstrapping we did in the phone company was putting up service of observation shoes by which they were able to listen in on different conversations and record them for legal purposes, for the police department, or whoever wanted them. That they did and I think they still do it.

SENATOR FOX: I ask that that latter statement by this witness be stricken from the record, that he still thinks they do. We are not here to guess or suppose who respect to anybody.

SENATOR FORBES: Well, we will order that stricken from the record.

MR. CUNDARI: I just wanted to get the definition of backstrapping, bridging, and backtapping. Are they three different categories?

MR. YEANDLE: Whatever the word says. Backstrapping would be--

MR. CUNDARI: I understand. What is the system used whereby when somebody is using a telephone number and puts an extension some other place to listen in? What would you call that?

MR. YEANDLE: Well, if it's in the same building, it's an extension. If it's in a different building, it's a backstrap, or it could be a bridge.

MR. CUNDARI: A backstrap?

MR. YEANDLE: Or it could be a bridge.

MR. CUNDARI: Is that what you are talking about now?

MR. YEANDLE: I'm not talking about anything. You're asking me.

BY SENATOR FORBES:

Q Well, I'll get to the next question: For what reason and when was your employment terminated with the telephone company? A Well, for the reason that they didn't give me the job that I wanted. I was in the central

office cleaning stuff at night, and things like that, and I'm a better mechanic than that.

Q Well, did you resign from the company? A No. I went and looked around to get myself started some place else.

Q In other words, you voluntarily left their employment? A No. It was by mutual agreement.

Q Well, what was the reason that your employment by the telephone company terminated? A Well, they wouldn't give me the cooperation I wanted, so I went out into the telephone business myself. I was with the Top Hat, working and maintaining that equipment there.

Q In other words, you resigned from the telephone company and went to work with the Top Hat? A I resigned. That's the way it's on the record.

Q That's the way it's on the record. Now, you say that like it's-- A It's in between firing and resigning. The records show I resigned.

Q You mean, officially? A We agreed that I would resign.

Q You severed connections? A That's right. They didn't put me out, no.

Q Will you tell us about your employment at the Top Hat in Union City from 1942 to 1945, stating the kind of work you did and for whom, and so on? A They were organizing quite a big setup over there--

Q When you say "they," who is "they"? A Well, fellows that I knew, three since dead.

MR. CUNDARI: Bookies?

MR. YEANDLE: Yes, they were bookmakers, that's all they were, yes. So they wanted somebody to take care of the place itself, the building itself.

BY SENATOR FORBES:

Q Well, were your duties at the Top Hat strictly janitorial, or telephonic? A No, mechanic.

Q In connection with what? Their telephones?

A Well, I built the tables that the telephone company put the equipment in and laid the general lay-out out.

Q And what equipment did the telephone company put in at the Top Hat? A Well, they put switchboards in, key sets like the stock exchange switchboards and they set them in a table like you have there with three holes in and then they put a key set in each one. Six men could sit at it.

Q How many independent lines? A Six lines and six men could sit at it.

Q Were they New York telephone numbers? A They were all New York telephone numbers.

BY MR. KERBY:

Q Could you explain a little more completely the testimony you gave us at the last hearing about the 300, we understood, lines into that establishment? A Well, I was accused of installing 300 telephones. That's why I put down 300 telephones - accused of installing; in other words, the conviction I took was that I put the 300 telephones in.

Q Well, were there 300 telephones there? A There might have been more than that; in other words, there was just a constant flow of New York telephones into Jersey; they

were all over the place. There might be 5,000.

Q Were there 300 telephones in the Top Hat?

A There were, or more.

MR. CUNDARI: Just a minute. You don't mean that, do you? You said there might be 5,000 telephone lines into the Top Hat?

MR. YEANDLE: I didn't say that. In that area. There were 300 in the Top Hat during the time I was there, or more. I agreed with the 300 at my trial.

BY MR. KERBY:

Q Were there 300 there at one time? A Well, we had 33 rooms there and I think five were rented, so that would leave 28 times six - you could add it up, and probably 30 or 40 behind the barber room - they were all over the place; wherever they could find a room, that's where they put them.

Q And what were they used for? A For bookmaking.

Q And your job was to do what? A Just to see that they were taken care of, change plugs, change frayed cords, see that things were working properly.

SENATOR FOX: In plain English, you serviced them?

MR. YEANDLE: That's right.

BY MR. KERBY:

Q For the telephone company? A For myself, or for the people who owned the place. I was paid a salary by the Top Hat itself.

Q What did you do after you left the Top Hat?

A Well, I started an appliance business up in Fort Lee, an appliance store, and a gas station I had up there.

Q Did you ever participate in any backstrapping activities? A No.

Q You testified, I believe, at our closed hearing that you did some work to protect the bookies. Will you explain that? A Well, the only thing on that was, on the news line which Western Union puts in. They have a ticker that's run all over the country. You people may be familiar with it,- a news line. It gives the race results to protect the bookmaker from getting fast posted or getting a fast play on a horse. We put equipment on there so that if anybody interfered with it, it would immediately be known and the bookmaker couldn't get fast posted.

Q And you put equipment on the line- A It was maintained so they couldn't cheat the bookmaker - nobody could cheat the bookmaker.

Q And that was your job for sometime? A I saw that nobody got cheated.

Q We have heard allegations from time to time that miles of extra wire were strung in the Bergen County area. Can you tell us anything about that, in connection with bridging and backstrapping? A I don't know the footage, but there wasn't any place that wasn't connected.

Q What was your answer to that question? A I say, it started from the racetrack and it wound up wherever it wanted to wind up in any place, every place--

Q Did you do any of that wiring? A I did not, sir. The Western Union did it. The Western Union run the line.

Q Well, do you know whether they ran it legally?

A I don't know whether they did or not. It wasn't my part of the business. I wasn't interested.

Q Were you ever known as Whitey? A No. That is a misunderstanding. There is a Whitey, but I'm not Whitey. My hair used to be black at that time. Now it's all gray.

Q Do you know who ran all that extra wire in Bergen County in those days? A I just told you.

Q Anyone besides what you have already testified to? A There was an awful lot of wire run in those times.

SENATOR FORBES: Are there any other questions?

BY MR. CUNDARI:

Q Where did you get the equipment, Mr. Yeandle, the additional equipment other than the six setups by the telephone company? A I didn't need any extra equipment. There was always plenty around.

Q Well, you physically brought in to the Top Hat two or three hundred additional telephones, didn't you?

A No, I brought nothing in the Top Hat. The telephone company brought them in.

Q The telephone company brought into the Top Hat as many as two or three hundred telephone instruments?

A That's right.

Q What time did they bring them in, before you got there? A There was some in before I started. I think there was something like 15 or 16. What they did, they made you take six New York and one Jersey, so wherever you had six you had an extra Jersey. They put them in, that's all.

Q Who would set up that equipment that was brought in? A The telephone company people.

Q Then you are trying to tell us that the telephone people in New Jersey actually set up as many as two or three hundred telephones in the Top Hat at the time - 1947?

A That's right. And it was before Mr. Bittig's and this other man's time; I know that. Because when they came in, you couldn't even get one phone. I'll give them that much credit. I can't even get a telephone.

Q When the Top Hat operations ceased, what happened to the phones? A Well, when the State troopers came, they took some of it and the rest was swept up and gotten rid of. The State troopers cleaned out the place.

Q Now, the New Jersey Telephone Company or the New York Telephone Company knew that there were so many phones in the building? A They put them in.

Q And they were being utilized - the telephone company knew that? A Of course.

Q To get away from the Top Hat case, what would you call the type of work involved where a bookie says to a private person, "Don't pick up the phone for several hours, because we want to put a connection some other place for the purpose of taking bets over the phone"? A That would be an extension or a backstrap.

Q All right, that's a backstrap. And does that necessarily mean an extension overhead or underground--

A Yes.

Q You say that Western Union ran these additional--

A No, I didn't say that. No, only the news services and I never thought that I had charge of that.

Q Now, my question to you is this: Who ran the lines on this backstrapping operation for the bookies?

A There was a lot of people run them.

Q Did you run any? A No. I didn't have to.

SENATOR FORBES: Are there any other questions of this witness?

SENATOR SHERSHIN: I have a question. You were not employed by the New Jersey Bell Telephone, you were employed by the New York Telephone Company, isn't that so?

MR. YEANDLE: No.

SENATOR SHERSHIN: What was your answer?

MR. YEANDLE: What did you say?

SENATOR SHERSHIN: You were not employed by the New Jersey Bell Tel, were you?

MR. YEANDLE: No.

SENATOR SHERSHIN: You were employed by whom?

MR. YEANDLE: By the Top Hat.

SENATOR SHERSHIN: Before your employment at the Top Hat?

MR. YEANDLE: New York Telephone Company, twenty years. I left on the 20th year.

SENATOR FOX: You say you were employed by the New York Telephone Company?

MR. YEANDLE: From 1922 to 1942, then I came to the Top Hat when it opened and they started putting all these lines in, and I went there in 1942 and I think it lasted until '44. The politicians couldn't share the money up, so--

SENATOR FOX: When you say that the telephone company installed, are you speaking of the New Jersey Bell Telephone Company or do you mean the New York Telephone Company?

MR. YEANDLE: Did I work for them?

SENATOR FOX: I beg your pardon.

MR. YEANDLE: Did I work for them?

SENATOR FOX: No, the installations that you speak

of--

MR. YEANDLE: That's New Jersey, in New Jersey.

SENATOR FOX: It's in New Jersey?

MR. YEANDLE: That's right.

SENATOR FOX: And you have made the statement - I want to get it accurately; you make the unqualified statement that it is the New Jersey Bell Telephone Company who installed these?

MR. YEANDLE: The New Jersey Bell Telephone installed them. Nobody else could.

SENATOR FOX: And you know that of your own personal knowledge?

MR. YEANDLE: Senator, I would like to answer something else as long as you're trying to make me the goat again in this deal.

SENATOR FOX: On what do you base your knowledge that the New Jersey Bell Telephone Company installed these or made the installation?

MR. YEANDLE: Nobody else could do it.

SENATOR FOX: There is nobody else capable of making the installations?

MR. YEANDLE: It's impossible, without them doing it.

SENATOR FOX: And have you seen them bring the installations in?

MR. YEANDLE: I made the tables that the switchboards fit into.

SENATOR FOX: And then you saw them bringing in the equipment?

MR. YEANDLE: That's right, yes.

BY SENATOR SHERSHIN:

Q Mr. Yeandle, through the chair: Over how long a period would you say that the telephone company made these installations? A It was about two years or so.

Q And during that two-year period, how many guests actually resided in the Top Hat? A Five.

Q Five people lived there? A I was one of them. I had a room there and it was convenient to stay there.

Q How many employees other than guests lived there? A Well, they had - only Mr. Hanna, the owner, that's all; he was the only other person.

Q Was the Top Hat a hotel? A Well, it had a switchboard and it had rooms that had numbers on. It could be called a hotel.

Q Did guests come to register overnight? A You could stay if you wanted to, I guess, if you could find an empty room.

SENATOR FORBES: All right. Thank you very much, Mr. Yeandle. Now, we said to Mr. Bittig that if he cared to he could comment on some of these statements.

MR. BITTIG: Well, the question that I had in mind, Senator-- Senator Shershin asked as to where Yeandle was employed. That was the question that I wanted to put on the record.

SENATOR FORBES: Right. Well, that's on the record.

Now, Mr. Nelson Stamler. Just a minute. The Committee thinks we will take a recess now. We will take just an hour for lunch.

(R E C E S S F O R  
O N E H O U R)

