

CITY

Officers in Brooklyn Drug Case Acquitted of Rights Charges

By JOSEPH P. FRIED

Three New York City police officers were acquitted last night of charges that they violated the civil rights of Brooklyn residents and drug dealers by systematically stealing cash and drugs and making false arrests to gain overtime.

It was the second time in six months that Federal prosecutors failed to gain convictions of the three in the case, which involved charges that a rogue band of up to 15 officers known as the Morgue Boys engaged in a three-year reign of banditry and fraud in the 73d Precinct in the

crime-ridden Brownsville section.

In the first trial last April, in the same courtroom in Federal District Court in Brooklyn, a jury acquitted the three of conspiring to rob the people said to have been their victims. That jury deadlocked on the civil rights charge against the three — Richard Sanfilippo, Keith Goodman and Frank Mistretta.

In the latest proceeding, the three were retried on that charge and on 15 new counts of civil rights violations. But last night, after deliberating only three and a half hours in a monthlong trial, the second jury acquitted the three of every charge

against them, amid sighs of relief by the defendants and applause and tears of joy among their relatives and friends in the gallery.

In both trials the prosecution depended heavily on the testimony of three other officers who had admitted their own participation in the Morgue Boys, whose members met to plan their crimes near a factory that once made coffins, according to testimony.

The defense lawyers denounced the officers who testified, noting that all had made deals with the prosecution in exchange for leniency. The jury in the retrial "clearly found the

alleged victims to be not trustworthy" as well, said one of the lawyers, Stephen C. Worth, who argued the defense case with Edward P. Jenks and Joseph Tacopina.

One of the jurors, Patricia Pearlman, who works in marketing research, said as she left the courtroom, "We were looking for corroborative evidence and just didn't see it." She also spoke of "too many inconsistencies in practically everybody's testimony."

The chief prosecutor in the case, Charles Gerber, declined to comment. In his summation yesterday, he told the jury that the defendants had "sullied the reputation of good, honest cops" through illegal searches and arrests and thefts.

But Officer Sanfilippo, 29, and a member of the force for seven years, said after the verdict he had been unjustly put through "two years of hell." Officer Mistretta, 54 and on the police force for 20 years, similarly said, "This has been a nightmare for two years, knowing you're innocent." Officer Goodman, 29, has been on the force six years.

The three, who have been on restricted duty since they were charged, still face an administrative trial within the Police Department.