

# D'Arco kin is back as cop

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# D'Arco kin is back as cop

## Lieutenant quit during 1972 probe of tavern shakedowns

By Bob Wiedrich

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**A BROTHER-in-law of John D'Arco who resigned as a police lieutenant in 1972 while under fire in the Austin police scandal was reinstated last May, apparently without objection by the Police Department.**

Lt. Peter Nutley, 56, whose wife, Mary, is a sister of D'Arco, committeeman of the hoodlum-dominated 1st Ward Democratic Organization, told The Tribune Thursday he was not interviewed by anyone at police headquarters before being restored to duty.

Nutley resigned in March, 1972, after his suspension for refusing to testify before a federal grand jury investigating police tavern shakedowns in the Austin Police District on Chicago's far West Side.

Capt. Mark C. Thanasouras, then Austin District commander, also took the 5th Amendment before the grand jury. He served 18 months of a 3½-year federal prison sentence. Fifteen other Austin District officers also were convicted or pleaded guilty. Thanasouras was shot to death July 22, 1977.

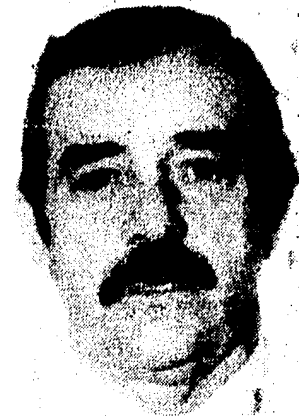
**IN AN INTERVIEW with The Tribune Thursday, Nutley said he was reinstated as a lieutenant after submitting an application to the City Hall Personnel Department. He followed that up with a request "to come back" at police headquarters while Sam Nolan was acting police superintendent last May.**

Nolan was promoted to the post of Chicago's first public safety director by Mayor Byrne and replaced as acting superintendent by Joseph DiLeonardi, now one of three former high ranking officers charging that their recent demotions were dictated by the 1st Ward.

Nutley denied that D'Arco had played



Committeeman John D'Arco



Police Lt. Peter Nutley

- John D'Arco's police officer brother-in-law has a business record marked by a long list of creditors who have sued in attempts to collect. Page 12.
- Jay McMullen, Mayor Byrne's husband, adviser, and press secretary, calls for grand jury probe of Tribune columnist Robert Wiedrich. Page 12.
- State's Atty. Bernard Carey praises Capt. William Duffy's reputation as a crime fighter and rips John D'Arco. Page 13.
- Police Supt. Richard Brzezczek charges Joseph DiLeonardi is overrated as a mob fighter. Page 13.

a role in his reinstatement.

"No. Absolutely without question," he said. "He didn't even know I was back on [the Police Department]."

"YOU DON'T EVEN have to know anybody if you left with a good record," Nutley confirmed that he had invoked

the 5th Amendment against possible self-incrimination when called before the grand jury in December, 1971.

Asked whether taking the 5th Amendment and being suspended in the midst of a major police scandal did not reflect

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# D'Arco relative regained cop job despite scandal

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on his "good record," Nutley replied:

"Not whatsoever. I was never accused of anything. What did I have to gain? The political climate was bad at that time. I did it under the advice of an excellent attorney.

"I WAS IN the wrong place at the wrong time."

Nutley, who has been married to D'Arco's sister for 38 years, is a field lieutenant in the Belmont Avenue District on the North Side.

"I remember the reinstatement," said Capt. Patrick V. Needham, who was deputy police superintendent for administrative services at the time of Nutley's return. Needham is a watch commander in the Jefferson Park District.

"Not that many lieutenants resign and come back," he said.

NEEDHAM SAID he did not remember details of the Nutley reinstatement, declaring: "He must have had good recommendations from his former supervisors. But I would have to see the file again."

While he was a deputy superintendent, Needham said, it was his responsibility to review all reinstatement requests.

Normally, he said, he would review the recommendations of supervisors for whom the applicant had worked, along with the applicant's personnel file. He could not recall why Nutley had left the department.

Nutley telephoned The Tribune Thursday morning after reporters had conducted a fruitless search for him most of Wednesday afternoon and after reporters had determined that he was taking several days off from duty. They had left word for him to call at his Northwest Side residence and that of a son.

"I'D LIKE to be very honest with you," Nutley said in the interview. "The only reason we're talking is because you're intending to publish something, right?"

"How will this benefit me to talk to you?"

"I left for personal reasons to go into business. I wasn't forced to leave. I left of my own choice. It was beneficial for me to come back because of my pension."

Nutley had been a Chicago police officer for 27 years when he resigned. He had been head of the Austin District tactical unit under Thanasouras. When Nutley, Thanasouras, and three other Austin District officers refused to testify before the grand jury, then-deputy Police Supt. James Rochford ordered them to appear before him for questioning.

IN HIS ORDER, Rochford said: "You were to testify before the grand jury. . . . You refused on grounds of the 5th Amendment. . . . It is therefore alleged you are in violation [of department regulations]."

"I've never had an exempt [appointive] or sensitive position on the Police Department," Nutley said. "I never had any advantage because of John [D'Arco]. When I came back, he never knew I came back.

"They're accepting policemen back. There's nothing unusual about it. It's one of the rights you have—to come back.

"If the Police Department will accept you after an investigation, you can come back. It took about a month to come back on."

IN RESPONSE to questions, Nutley said he had not been interviewed by Needham, Nolan, or anyone else at police headquarters in connection with his reinstatement.

A perusal of Nutley's personnel file late Thursday by Supt. Richard Brzeczek disclosed the reasons stated by the Police Department and Nutley for his resignation on March 7, 1972.

In the more than 50-page file, the official police finding occupied only one line: "Resigned while under investigation regarding testimony to a grand jury."

On another page, Nutley gave as his reason for resigning: "To pursue other employment."

BRZECZEK SAID HE had no intention of second guessing Needham's approval of Nutley's reinstatement. He said "Needham fulfilled his responsibility" in reviewing the Nutley personnel file.

Brzeczek also pointed out that a rule that provided for dismissal proceedings against officers refusing to testify before grand juries, has been ruled unconstitutional.

Nutley said that during his seven-year absence from the department, he was a construction consultant. "I still am," he added.

"I did work in India for almost four months on one job," he said. Then he paused.

"I'm really telling you too much," Nutley said. "I don't know what you're going to do with it.

"My brother-in-law, John, who I haven't seen in a long time, had nothing to do with my coming back or my police career.

"The fact that I'm a field lieutenant and never had any exempt or sensitive positions proves that. I just wanted to be a good policeman on the street."