

EX-STATE SENATOR FACES VOTE CHARGE

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February 15, 1983, Section A, Page 1 Buy Reprints

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Former State Senator Vander L. Beatty of Brooklyn was indicted yesterday on forgery and other charges stemming from his unsuccessful attempt to win a 1982 Congressional primary.

He was accused in the state indictment of having instructed political aides to put false signatures of voters on voterregistration cards while he and the aides were in the Brooklyn office of the city's Board of Elections some time in October. In addition to the forgery charge, Mr. Beatty was indicted on charges of criminal conspiracy and election-law violations.

According to the Brooklyn District Attorney, Elizabeth Holtzman, who announced the indictment, Mr. Beatty and his associates were involved in a post-primary effort to create "irregularities" that would lead a court to throw out the results of the primary and order new balloting.

In the bitterly contested Democratic primary last September for the United States House of Representatives, Mr. Beatty lost by nearly 3,000 votes, out of 34,000 cast, to Major R. Owens, then a state senator. Mr. Owens went on to win easily in the November general election in the overwhelmingly Democratic 12th Congressional District.

Yesterday Mr. Beatty, in handcuffs, was led by detectives from the Municipal Building in downtown Brooklyn, where the District Attorney has her office, to the nearby Criminal Court Building for arraignment. Amid a crush of reporters and television cameras, he said, "It's a damn travesty of justice."

"I'm as innocent as Jesus Christ," the 42-year-old politician declared at another point as the detectives tried to clear a path through the reporters and the curbside mounds of snow on Joralemon Street. "Under no circumstances will I be convicted," he said.

Mr. Beatty, whose 10 years in the State Senate ended Dec. 31, also contended that he had been indicted because he was "the most independent" public official in Brooklyn. "They're trying to ruin my name," he said. Released Without Bail

Later he was released without bail by Acting Justice Martin Schneier of State Supreme Court, pending his next scheduled court appearance on March 9.

The most serious charge against Mr. Beatty - forgery in the second degree - carries a prison term upon conviction of two and one-third to seven years on each count. He was charged with 13 counts of forgery.

He was also charged with one count of conspiracy in the fifth degree and one count of election-law violation; each is a misdemeanor that carries a prison term upon conviction of up to one year.

Today, in an unrelated matter, the State Commission of Investigation will begin public hearings into possible irregularities concerning a publicly financed community rehabilitation program in the Brooklyn neighborhood that Mr. Beatty represented in the State Senate. State investigators say they have uncovered evidence that Mr. Beatty obtained more than \$50,000 in improper payments from the program.

The allegations were part of a broader inquiry by the state commission into irregularities in the program, the Bedford-Stuyvesant Urban Development Corporation, according to state officials and witnesses involved in the investigation.

Last night, Mr. Beatty's attorney, Harry R. Pollak, said his client, who had been questioned by an attorney for the commission, "denies any wrongdoing" in connection with the commission's inquiry. Mr. Beatty has been subpoenaed to testify at the hearings tomorrow, according to Lola S. Lea, the Investigation Commission chairman.

In announcing the indictment yesterday at a news conference, Miss Holtzman was asked whether she was making the late-afternoon announcement to gain a publicity advantage over the state commission in regard to Mr. Beatty. She denied this, saying that his indictment was announced yesterday "because this matter is completed."

But Miss Holtzman said that "the investigation is not completed with respect to all possible people who played a role with regard to forgery and fraud."

She said the indictment "identifies other co-conspirators, but I'm not at liberty to name them." Only the portion of the indictment involving Mr. Beatty has been unsealed, she said, because any others who might have been charged have not yet been arrested.

Asked if any employees of the Board of Elections might have collaborated with the scheme cited in the indictment, Miss Holtzman said she did not want to create "an implication one way or the other" about employees of the board.

In response to Mr. Beatty's contention that he was the victim of a "political indictment," Miss Holtzman said, "The attempt to steal an election is an extremely grave crime."

She said that aside from one general forgery count, there were 12 others in the indictment involving 12 specific voter-registration cards with what were found to be false signatures. She called the 12 cards "representative" of the larger number of forgeries said to be involved in the case.

Asked whether she thought that Mr. Beatty personally wrote in some of the fake signatures, as opposed to directing aides to do it, Miss Holtzman said this was a "matter for the trial."