

Child-sex jurors view videotapes of nude boys

By Steven Kalcanides
Journal staff writer

NEWARK - Jurors in the federal child-sex conspiracy trial of two Bayonne men were shown a videotape yesterday of two boys and one defendant - all nude - in a bedroom of a West 32nd Street home.

The videotape showed defendant Richard Bagarozzy, 45, and two boys from the Bronx, both believed to have been older than 16 at the time, posing for the camera and jumping on and off a bed.

One of the boys, who is now 18, has testified that Bagarozzy made a number of sexual advances to him and performed oral sex on him in a hotel room. Jurors saw no sexual activity in the video.

Bagarozzy and co-defendant Edward Federowicz, 54, are accused of conspiring to bring boys from the Bronx into Bayonne to sexually exploit

Defendant, 45, also seen nude in Bayonne film

them.

Federowicz, who is representing himself with the assistance of attorney Peter Ryan of West Orange, maintains that both boys were 16 years old - the age of sexual consent in New Jersey - when the video was made.

But government prosecutors allege that the two men made other videos of younger boys and received, distributed and transported sexually explicit materials.

State Police Detective Bob Hoever, who befriended the two men during an undercover operation in the summer of 1993, spent his second consecutive day on the witness stand yesterday answering questions from Assistant U.S. Attorney Laura Kaplan.

Hoever said he knew the video was made in Bagarozzy's Bayonne bedroom house because he saw the room during visits to the house to see Bagarozzy's collection of nude magazines, videos and books.

Hoever, wearing green gloves to protect the evidence, showed jurors magazines titled, "Chicken Delight," "More Boys" and "Nekkids," which he said were confiscated from a storage warehouse in Yonkers in October of 1993.

Some of the material was published in Denmark and Germany, he said, while some of it came from California.

Also shown yesterday was a portion of a video made at a Sandy Hook nudist beach that showed at least two boys in the nude and another wearing boxer shorts.

In the video, Bagarozzy is heard directing the boys to dig a hole in the sand, and telling the boy in the boxer shorts to take them off or at least pull them down a little.

"Get rid of the boxers," Bagarozzy is heard saying.

Hoever testified yesterday that Bagarozzy would manipulate the boys into taking part in sexual encounters by offering them gifts, such as a minibike that one boy wanted.

A wiretapped telephone conversation played yesterday included the voices of Bagarozzy and the boy - whose age was unavailable yesterday - discussing the minibike.

"You used to look out for me and surprise me, without me even asking," Bagarozzy is heard telling the boy, while discussing the making of videos in the past and plans to make new ones in the future.

Mizzi to run in Democratic primary for County Executive

By Peter Weiss
Journal staff writer

Charlotte Haley Mizzi, director of the Jersey City Tenant/Landlord Relations Division, is seeking the Democratic nomination for Hudson County Executive.

Mizzi, 54, said she plans a well-financed campaign that will include a slate of running mates for state Assembly and county sheriff. She said she believes she can raise as much as \$350,000 for the primary campaign.

"It's going to be a real campaign," she said. "I'm not play-

ing games. I think I can make a difference and do a much better job of running county government."

Mizzi's campaign manager is Realtor Leona Beldini, a staunch ally of Jersey City Mayor Bret Schundler. But Mizzi said she is not seeking the support of Schundler, a Republican, in the Democratic primary.

"I believe in the two-party system," said Mizzi, who is a former state Democratic committee member.

Mizzi has worked for Jersey City since 1973. She is a graduate of Jersey City State Col-

lege, with a degree in administration.

She said she decided to run because she has seen no improvement in county government in the past two decades. "There is a lot of 'anti' feeling," she said, "especially over spending policies and bonding practices." She said her platform will stress reducing the size of county government, welfare reform and elimination of overlapping services between municipal and county government.

Mizzi is the second person to announce a challenge to Hudson County Executive Robert



Charlotte Haley Mizzi
Eyes county exec job

Janiszewski. Jersey City Councilman Jaime Vazquez has said he plans to run.

Murder jury hears 'last breath' letter before getting case

By Deborah Yaffe
Journal staff writer

Superior Court jurors deliberated for more than an hour yesterday without reaching a verdict in the trial of a Jersey City woman charged with stabbing her boyfriend to death more than two years ago.

In his closing statement, Assistant Hudson County Prosecutor Robert Bianchi read aloud a chilling letter in which Judith Vazquez, 39, of Montgomery Street, recounted in graphic detail the September 1992 death of Aurelio "Tattoo" Padilla.

"I've had many flashbacks," Vazquez wrote from jail to her younger sister, Maria LaRosa of Bayonne. "I know there was a lot of blood. I see Tattoo's face. Finally, I see him gasp for his last breath."

In the letter, written a few days after Padilla's death, Vazquez also said that she had lied to her own lawyer, blaming the killing entirely on a friend, Manuel ManGual of Bloomfield.

"I'm the one who set it up," Vazquez wrote. "If the jury or the judge knows this, I get the death penalty automatically, because that's called premeditated murder."

But defense lawyer Anthony Peduto of Jersey City said that when Vazquez wrote the letter, her thinking was distorted by prescription medication and the rigors of life in jail.

"What was her mental condition at the time? What was her state of mind?" Peduto asked.

Testifying in her own defense Wednesday, Vazquez de-

nied witnessing or participating in Padilla's murder and said she did not remember writing the incriminating letter.

Blood found in her apartment was the residue of a violent struggle she had with Padilla days earlier, she said.

In his closing statement, Bianchi - noting that Vazquez's jail psychiatrist, Dr. Oscar Sandoyal, testified that the sedatives and anti-depressants she was taking had caused no side-effects - ridiculed the suggestion that Vazquez wasn't thinking straight when she wrote the confession.

"Are these the ravings of somebody under medication who has no idea what she's saying?" Bianchi said. "Or is it the cool and calculated planning of (a person) trying to extricate or get herself out of a very difficult situation?"

Prosecutors say ManGual probably held Padilla while Vazquez stabbed him, although ManGual may have done the stabbing while Vazquez held the victim. Legally, she could be found guilty of murder even if she did not wield the knife.

ManGual has never been arrested or charged in the crime. He remains a suspect.

Vazquez faces 30 years to life in prison if convicted of murdering Padilla. Judge Kevin G. Callahan dismissed two weapons charges against her yesterday.

In a separate case awaiting trial, Vazquez is charged with murdering her husband, Evillio Guerra, in May 1990.

Fingerprints useless in bowling ball trial

By Deborah Yaffe
Journal staff writer

Fingerprints lifted from a bowling ball that killed a baby girl last year could not be tied to the Jersey City teen-ager charged with manslaughter in her death, two police fingerprint experts testified yesterday.

The prints were "unsuitable for any further comparison," said State Police Detective John McGinniss yesterday at the Superior Court trial of Calvin Settle, 19, of St. Paul's Avenue.

Settle is charged with aggravated manslaughter and a weapons offense in the February 1994 death of 8-month-old Natalia Rivera of Brooklyn, who

was killed when the bowling ball smashed through the windshield of her family car and struck her in the head.

Prosecutors say Settle deliberately dropped the ball off a State Highway overpass near Central Avenue onto the section of Routes 1&9 known as the Depressed Highway. The defense says the ball fell accidentally as Settle and two younger boys played with it.

Yesterday's testimony - from the ambulance driver who found the bowling ball, the two fingerprint experts and the supervisor of tunnel operations at the Holland Tunnel - filled in some details of the incident.

Men, mom face drug and assault charges

By Deborah Yaffe
Journal staff writer

Three Jersey City men and their mother were arraigned yesterday in Hudson County's Central Judicial Processing Court on a variety of drug offenses, robberies and assaults.

Judge Richard T. Nieto set bail for the mother, Ernestine Napper, 46, of Pacific Avenue, at \$250, and for two of the sons, Lacy Alston, 21, and Myron Alston, 18, at \$500 each.

Nieto set bail at \$2,500 for the third son, Shawn Alston, 19. All three men live on Heckman Drive.

Napper and Myron Alston fought with officers who were trying to arrest Shawn Alston on Friday on cocaine charges, police said. Myron Alston allegedly hit one officer in the back with a boom box.

Shawn Alston fled, but he was arrested Wednesday with his brother Lacy, who was a suspect in two earlier robberies, according to reports.

Shawn Alston is charged with three drug offenses and with two counts each of resisting arrest and aggravated assault on police officers.

Napper and Myron Alston are each charged with one count of aggravated assault and one count of hindering apprehension. Lacy Alston is charged with robbery, theft, armed robbery and resisting arrest.

A Jersey City man charged with possessing 54 vials of cocaine for sale near a school was arraigned yesterday in CJP. Darrell Rogers' bail was set at \$3,500.

Global scam gets Fort Lee man life

By The Associated Press

CARLISLE, England - A New Jersey man who masterminded an international double-cross using a maze of guises - including one borrowed from the James Bond novels - was jailed for life yesterday for the murder of an accomplice.

A jury at Carlisle Crown Court unanimously found Michael Austin, 39, of Fort Lee, guilty of murdering David Wilson. Austin hired the hitmen who fatally shot Wilson in the garage of his home nearly three years ago.

The men who committed the murder have never been found.

Jailing Austin, Judge John Kay said: "His killing was a savage and awful act and you are guilty of the most serious form of wicked and evil behavior."

Austin was known to Wilson as Colonel Hector Portillo, a retired Mexican army officer.

Austin involved Wilson and several others in an international fraud plot that would have passed off low-grade cigarettes produced in Latin America as high-grade Virginia-made Marlboros.

The scam, which involved

the Polish underworld, would have unloaded the phony cigarettes in eastern Europe.

But Wilson found out "Portillo" was actually scamming his colleagues - there were no cigarettes.

The "Lisa Marie," the ship that was supposed to transport the cigarettes, was a rusting, empty hulk moored in Puerto Cabello, Venezuela.

Wilson - and the others - had already sent Austin advance moneys from the east European contacts. Outraged, Wilson fired off a fax to Austin telling him of the discovery.

That, and the arrest of Wil-

son when Scotland Yard sensed something amiss, made Austin panic.

"You tried to frighten (Wilson) off with threats, but he still persisted so you made arrangements to have him killed," the judge said.

After the murder, a team of more than 80 detectives was assigned to the case. Members traveled to the United States, Canada, Venezuela, Spain, Gibraltar, France, Germany, Belgium, Italy, Denmark, Holland, Switzerland, Austria, Norway and Finland, Egypt, Hong Kong and Italy.

Working with Interpol, the FBI, U.S. Customs, the Drugs Enforcement Agency and the Royal Canadian Mounted Police, the detectives began to untangle the web of false names and contact numbers Austin had used to set up his deals.

The final breakthrough came in Canada with the discovery that Austin, under the name Michael Bond, had set up a company called Universal Exports - the cover name used by James Bond in the Ian Fleming novels - to buy a \$2.3 million condominium in New York's plush Trump Towers.

They traced a mail box Austin - using the name Bond - had in an office on New York's 86th Street. As Austin called one day in July 1992 to collect the agreement to buy the apartment, he was arrested.

As the jury foreman returned the guilty verdict Austin stood impassively in the dock writing notes on a pad.

Wilson's wife, Barbara, and two daughters, Michelle, 28 and Lisa Marie, 26, who were held captive in their house while Wilson was murdered, wept in the public gallery as the verdict was read.

Detective Superintendent Bob Denmark said after the trial that Austin was an extremely intelligent man with a great deal of cunning - but also very dangerous.

"His chief mistake was that he thought he could pull off the perfect crime," Denmark said.

Kearny police are probing fatal hit-run

Kearny police are seeking information about a fatal hit-and-run accident on Harrison Avenue.

John Hunter, a 41-year-old Kearny tow-truck operator, died after he was struck by a vehicle in the eastbound lane at 12:30 a.m. Sunday, Sgt. Edward Rygiel said. The sergeant said Hunter was hit while securing a disabled van onto a flatbed truck.

Witnesses may call police in confidence at 998-1313.

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