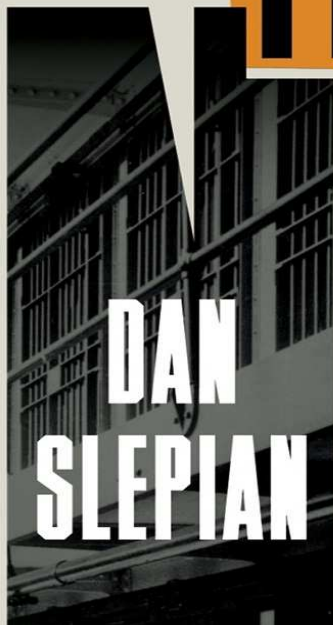


THE

SIX

INNOCENT

FILES



DAN
SLEPIAN



ONE JOURNALIST, SIX INNOCENT MEN, AND A 20 YEAR FIGHT FOR JUSTICE

THE SING SING FILES

One Journalist, Six Innocent Men,
and a Twenty-Year Fight for Justice

 **DAN SLEPIAN**

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To Jocelyn and Casey, the pillars of my life

INTRODUCTION

JJ

ON THANKSGIVING DAY IN 2002, I spent the morning at Green Haven Correctional Facility, a maximum-security prison a couple of hours north of Manhattan, filming a story for NBC's *Dateline* about two incarcerated men¹ who insisted they'd been wrongfully convicted of murder. I had spent a lot of time around cops and courts, but wrongful convictions and false imprisonments were not things I knew much about when I walked into Green Haven's dreary lobby that morning and saw a woman holding the hands of two little boys who were staring in my direction.

"You're Dan, right?" said the woman, who introduced herself as Maria Velazquez. "My son, Jon-Adrian—we call him JJ—is locked up here. He was convicted of murder but he's innocent." She told me that JJ had heard I was coming that day, and she'd told him she'd do her best to speak with me. I could feel her pain and desperation.

"Can you help us?" Maria asked.

I looked at her and then at the two boys, whom she introduced to me as JJ's sons: Jacob, age five, and Jon Jr., age eight. They were polite but quiet. It seemed like it had already been a long, hard day for them—and it seemed like they'd already had too many long, hard days.

Jon Jr. was on Maria's right side. Jacob, the littler one, was holding her left hand. He barely came up to her waist. He stared up at me with huge, confused eyes. He didn't say a word, but I swear he was asking me: *Who are you? Why am I here? What's going on? How can I make it stop?*

My first thought was that, regardless of their dad's guilt or innocence, these two little guys should have been home, running around with their cousins—not standing in the harsh fluorescent lighting of a prison lobby.

Their grandmother told me that two years earlier, in 2000, a jury had convicted her son, JJ Velazquez, of murdering a former New York City police officer and he had been sentenced to twenty-five years to life. She insisted her only child was an innocent man.

Frankly, I doubted it. I was there investigating the claims of two other men who insisted they were innocent, and I still didn't know if they were telling the truth. What were the odds that another wrongfully convicted person would be in the same part of the same prison?

I told Maria that I couldn't make any promises, but I would read about her son's case when I could, making sure to add that it would probably not happen anytime soon. Even so, she seemed relieved. She said that for years she'd tried and failed to get anyone to listen to her.

I wasn't a father myself yet, but as I drove home, something haunted me about those weary kids in that prison lobby. I couldn't get Jacob's sad, serious eyes out of my mind. Soon enough, I wouldn't be able to get his dad's voice out of my head either.

Looking back on meeting those boys and their grandmother that Thanksgiving morning, it would have been impossible to imagine the impact those few minutes would have on my life,

both professionally and personally, and the way in which my relationship with JJ would come to touch countless other lives as well. It marked the beginning of an odyssey that's still ongoing and that continues to reshape my perception of how justice functions in this country—or doesn't—and caused me to reconsider how I function as a journalist and as a human being.

This book's title refers to the prison officially known as Sing Sing Correctional Facility in Ossining, New York, the notorious maximum-security prison where JJ would spend most of the twenty-three years, seven months, and eight days of his wrongful incarceration, and where over two decades I would visit him more than two hundred times. The title also refers to how I came to investigate and produce *Dateline* reports not only about JJ but also about five other innocent men who crossed paths with him and who were also doing someone else's time. Their names are David Lemus, Olmedo Hidalgo, Eric Glisson, Johnny Hincapie, and Richard Rosario.

Over the years, as my basement has gradually grown full of boxes with their legal paperwork, I've filmed more than a thousand hours of interviews and footage connected to these men and their cases, my camera a diary of each of my investigations into their claims of innocence and the consequences of their incarceration. As a result, I've amassed a vast digital archive of video and audio—a trove that allows me to present conversations and scenes in the pages that follow with precise detail; nothing is reconstructed or embellished.

In my career as a producer for NBC News I have witnessed the American criminal justice system from every perspective. I've been embedded with detectives, prosecutors, and defense attorneys and followed them and their cases for months, sometimes years. I've interviewed countless murderers, judges, and jurors. I've gotten to know many victims of crime and have come to understand the devastating impact it has on them and their families. I've spent several hundred days inside prisons across the United States with the wardens who run them, with convicted killers sentenced to death, and with the corrections officers who walk those dangerous tiers every day, hoping to go home unharmed. And I've toured prisons in other countries. I even slept in a cell for two nights in Louisiana's Angola prison, a former slave plantation, with *NBC Nightly News* and *Dateline* anchor Lester Holt for a program about mass incarceration. And I conceived and produced the first-ever televised town hall from a maximum-security prison, Sing Sing, which was broadcast on MSNBC and moderated by Lester.

Proximity has taught me one overwhelming truth: we have an undeniable crisis on our hands. There are roughly two million Americans locked up, more than in any other country,² and our recidivism rates lead the world. I've seen for myself the cruel reality of how people and families have been ravaged by the system meant to protect them. I've come to see the inhumanity and irrationality of that system, and how its worst aspects are revealed by the way it handles wrongful convictions.

No one knows how many innocent people are in prison, but given the statistical likelihood of error, the number is staggering. Barry Scheck, cofounder of the Innocence Project, told me that he believes the most accurate studies estimate the error rate of convictions at about 5 percent, which would mean that as you're reading this, a hundred thousand people could be locked away in prison cells for crimes they did not commit. Other experts I've spoken with told me they believe the number could be as high as two hundred thousand. And yet, only about thirty-five hundred people have been exonerated in the past *thirty* years. Why? The system, as I have discovered, isn't built to get people out. It's built to keep them in—even when, as I will illustrate, there is clear evidence that they don't belong there.

In the course of my twenty years of doing this work, I've personally heard from more than a

thousand people who claim that they were stolen without cause from their lives and families. I've read hundreds of thousands of pages of transcripts, police reports, and court motions, often hunched over my desk or swiping through pages of documents on my iPad late at night. And what I've concluded is that I can no longer accept the worn cliché that justice is blind.

Over time, what I learned is that there are myriad ways in which the system seems designed to easily imprison the innocent, and then keep them locked up despite clear evidence proving they're not guilty of the crime for which they were convicted. This work has given me a deep understanding of what false imprisonment means not only for the individuals who are wrongly removed from society but also for their parents, partners, and children. As tragic as these injustices are for innocent people in prison, they have a cascading generational impact on those around them and on society that is hard to measure.

My experience tells me that even when some prosecutors are presented with irrefutable proof of innocence, the default is resistance as opposed to curiosity or concern. All too often, an assistant district attorney will remain deliberately indifferent, willfully ignore facts, and deny reality. Year after year, decade after decade, wrongfully convicted people wither away behind bars.

Racism and corruption are part of it, absolutely. But I've come to understand other insidious ways in which wrongful convictions happen—whether through eyewitness misidentification, a false confession, prosecutorial misconduct, or bad lawyering. The problem is an epidemic. It's why I can barely manage to sleep five hours a night. The stakes are too high. The injustice is too great.

Investigating a claim of innocence is slow and beyond onerous. That's one reason the news media doesn't report on the full scope of the problem. These stories are expensive to do, are difficult to report, and can literally take decades. For that reason, diving into these cases, trying to find the truth, has become for the most part my "extracurricular" work, while my real job as a *Dateline* producer has been to produce true-crime murder-mystery sagas, special hours with Lester Holt, and hidden-camera investigations.

Bryan Stevenson's powerful, groundbreaking book *Just Mercy* is perhaps the most well-known chronicle of wrongful conviction. The heart of that book is about a case in Alabama. What I find astonishing, even after all these years, is that each of the cases you'll read about in this book happened in what is supposedly the bastion of progressivism, New York City.

I'll tell you about how JJ Velazquez and five other men were sucked into the vortex of a corrupt criminal justice system. I will connect the dots to show that guardians of the system either knew these men were innocent or simply didn't care, and in some cases angled to keep them in prison anyway—for decades.

As JJ and the other men fought for their freedom, I saw careers upended, relationships destroyed, and my own faith tested. To this day there has been no full accounting of what happened to these innocent men, and no reckoning with those who did this to them. The system that perpetrated this unnecessary suffering and brutal injustice and the prosecutors and police who were part of it have not been made to answer for the harm that was done.

My hope is that this book will help change that, providing important lessons for reporters, prosecutors, defense attorneys, detectives, judges, and jurors—and ultimately for anyone interested in living in a just society.

LIKE SO MANY OF us, I was raised to believe that the people who took oaths to uphold the law fairly and impartially always made sure that the bad guys, and certainly only the bad guys, wound up behind bars. Even if the system did get it wrong sometimes, I trusted there were so many checks and balances—prosecutors, defense attorneys, judges, juries, appeals—that someone staying in prison for a long time for something they didn't do was either highly unlikely or extraordinarily rare.

Early in my career as a producer for *Dateline*, my experiences only reinforced that view. I'd gotten to know and worked closely with some of the best of law enforcement, producing many hours of TV that focused on the legal system when it worked just the way it should.

In the early 2000s, I was granted rare access to film Las Vegas homicide detectives as they investigated murders in real time for a *Dateline* series I created and produced, aptly named Vegas Homicide. It was my first immersive experience with law enforcement, and it helped me understand what these brave officers were up against: from breaking devastating news that someone's loved one had been murdered to working around the clock to figure out who was responsible.

I talked my way into getting permission for this project by offering what, at the time, was a novel approach. I got hold of an early handheld camera—this was before the digital era—and pitched Las Vegas police brass that in an effort to be as unobtrusive as possible during an unfolding investigation, it would just be me riding along with their detectives. My small footprint meant there would be no camerapeople and no audio engineer running around with headphones and a long stick-boom microphone. I would be serving as the producer, reporter, cameraperson, and audio engineer all in one. While I was the first producer at *Dateline* to do this, I'd had a camera in my hand since I was big enough to hold one—which, I suppose, is how my road to *Dateline* began.

I grew up in the suburbs of New York and always wanted to work in TV news, specifically at NBC, which was the network of choice in my home. After school, I'd sit at the kitchen island as my mom made dinner, watching *The Phil Donahue Show*, followed by WNBC's local news program *Live at Five* with Sue Simmons and Tony Guida on a thirteen-inch TV above the refrigerator. The news anchors were A-list celebrities in my eyes.

In 1990, during my junior year at SUNY Stony Brook, I eagerly applied for a summer internship with WNBC, but I was rejected. Twice.

Instead, I got an internship at a good-government group across from city hall called Common Cause. The internship was intensely boring. I spent most of my time making copies in a poorly lit hallway. The most exciting part of my day was eating my lunch, people-watching, and soaking up the sunshine before returning to my lonely copier cave.

One day I saw a throng of reporters rushing into city hall looking excited. I was curious, so I

followed them in. Turned out there was a press conference going on, and as an aspiring journalist, I thought I'd check it out.

A security guard at the door said, "Who are you with?"

"Independent media!" I said, proud of my spontaneous fabrication.

To my surprise, he waved me through.

Before I knew it, I was sitting in the back of what's called the "blue room," waiting for the press conference to begin, with my brown-bag lunch in my lap. And then in walked Mayor David Dinkins.

Cool! I thought. He was the first famous person I'd ever seen in the flesh.

Seconds later, I saw my second famous person: Tony fucking Guida, sitting right there in the front row. With his snow-white hair, he looked just like he did on *Live at Five*. After the news conference concluded, I stationed myself outside city hall, watching everyone as they streamed out. And there he was, Tony Guida.

I went up to him and said, no doubt with the energy of a puppy off the leash, "Mr. Guida! My name is Dan Slepian! I watch you all the time! I applied to be an intern at WNBC, but I got rejected. I'll do anything. I'll get you coffee, whatever you want."

He gazed at me for a moment. Here I was, this painfully earnest nineteen-year-old vibrating with enthusiasm and hope. And then he reached into his shirt pocket, took out a napkin, and scribbled a number on it. He handed it to me with three words: "Call Mike Callahan." Tony probably thought nothing of it, but those few seconds of kindness would forever change my professional trajectory and my life.

The very next day I dialed the number Tony had given me and spoke with Mike Callahan, the chain-smoking managing editor at WNBC. Excitement brimming in my voice, I said, "I met Tony Guida! He said to call you because I'd love to be an intern, and I—"

He cut me off and said, "Come on in."

And so the next day I found myself at the WNBC office in iconic 30 Rockefeller Plaza. Callahan wasted no time and said, "You want to be an intern? Help out the assignment editors on the desk." Simple as that. I never went back to Common Cause. In fact, I've stayed in that very building more than thirty years now.

The NBC internship coordinator would see me and say, "Who are you?"

"An intern!" I'd confidently reply.

"No, you have to be part of the program," she'd respond.

"Mike said I could come in."

"That's not the way it works," she'd say.

We would have that conversation on a few occasions. As many times as she tried to get rid of me, I just kept coming in every day, pulling faxes, answering phones, and cheerfully fetching sugar for assignment editor Harry Rittenberg's SlimFast. I was like the guy from *Office Space* who didn't have a job and just kept showing up. I'd cross paths with that internship director in the hallways for years, and she'd always have a silent stare like, *You're still here?*

That unorthodox "internship" eventually paved the way for me to be accepted into the NBC Page Program, a highly competitive opportunity for college graduates looking to get into the TV business. Among my responsibilities was giving tours of the studios and seating audiences for shows like *Late Night with David Letterman* and *Saturday Night Live*.

My first "real" job was working for the man I grew up watching after school every day. The OG, the original, pre-Oprah daytime talk show host, Phil Donahue. For the kids who don't know

his name: he invented running around a studio audience holding a microphone in random people's faces, and he totally revolutionized television. When *Donahue* went off the air in 1996, I started working at *Dateline*, my dream job, and never left.

Dateline, NBC's longest-running prime-time series, has been on the air for more than thirty years and has become part of mainstream American culture. When I began there, the show was anchored by Stone Phillips and Jane Pauley, and aired two nights per week. Within a couple of years, under the leadership of executive producer Neal Shapiro, it was on as many as five nights per week.

Back then, the show was broken into several segments covering various topics, from celebrity profiles to undercover investigations to breaking news reports. Producing stories during that time was like drinking from several fire hoses at once.

My first role at *Dateline* was as what's called a booker, meaning it was my job to convince people embroiled in the biggest breaking stories of the day to talk exclusively to *Dateline*. About fifteen young staffers, mostly news nerds, were told to keep an overnight bag under our desks at work, because you never knew when news would break and you'd be headed to the airport. When the Columbine shooting happened, I was off to Colorado with Stone Phillips. When Waco was burning, I headed to Texas. When JFK Jr.'s plane went down, I was on the next flight to Martha's Vineyard.

A few years later, *Dateline* began to focus on murder mysteries, launching a new era as "the true-crime original," for its captivating yarns with twists and turns that keep viewers on the edge of their seats.

By September 10, 2001, I was thirty-one and had been working for *Dateline* for five years. I had been filming with the Vegas detectives that Monday and happened to take the last flight back from Las Vegas to New York City, where I lived at the time. I landed at about one in the morning on 9/11, and headed home to my wife, Jocelyn. Hours later, when the first plane struck the World Trade Center, I grabbed my camera, headed downtown to St. Vincent's Hospital, and began interviewing people who were searching for their missing family members.

Looking up Seventh Avenue, I could see police cars and fire engines driving at top speed toward the bottom of the island, and I watched in awe as these men and women in uniform rushed to those buildings. In that moment, more than any other—and I'd spent a lot of time with police officers and been impressed by what they did—I thought, *These are men and women who have different blood than I do*. I'd never, not in a million years, rush into a building in flames unless my daughter was inside it. *The strength that takes, to be like them*, I thought. I'll never forget it. My heart flooded with gratitude.

The cops of the NYPD were the heroes of America and the rock stars of the city, and I wanted to embed with them much as I had in Las Vegas. So I contacted Michael O'Looney, an unusually generous deputy commissioner of public information for the NYPD, and set up a meeting to pitch my idea. About a month later I got the green light and was told I'd be following detectives in the Bronx.

So, on a sunny morning in April 2002, I arrived at the headquarters of the Bronx Homicide Task Force, camera in hand, eager and—looking back—unbelievably naive.

Located on Simpson Street in the South Bronx, the wood-paneled building immortalized in the Paul Newman movie *Fort Apache, the Bronx* two decades earlier had the faded glamour of a palace in the middle of Baghdad. I walked up a large curved staircase to the second floor, where I saw a thin gold plate that said BRONX HOMICIDE fastened to a wood door. Walking into that

office was like walking back in time. There was flypaper hanging from the ceilings and the sound of officers clicking away at typewriters, using carbon paper to write police reports. The place reeked of cigarettes, even though that was the year Mayor Michael Bloomberg had outlawed indoor smoking.

I was taken to see Lieutenant Sean O'Toole, the unit's boss, and he introduced me to the two detectives the NYPD had chosen for me to follow: a legendary Bronx homicide detective named Bobby Addolorato and his equally formidable partner, John Schwartz. They were friendly, kind of, but I quickly got the sense they were not exactly thrilled with having a *Dateline* producer tagging along after them. They made it clear that they didn't particularly want to be on TV and saw my presence as more of an order than an opportunity. But they did as they were told—they were nothing if not dutiful—and eventually they got used to me and my camera.

Bobby, a son of the Bronx, had the swagger of a man who knew he was where he belonged, doing the work he was meant to do. He told me that from a young age, his parents taught him and his brother that honest public service was the measure of success, and that the Addolorato brothers always had their heart set on the action-packed version of public service promised by police work. And the main lesson his father, a city sanitation worker, stressed for this exciting way of fighting for those who can't fight for themselves? "Stay true." The cornerstone of Bobby's upbringing and career had been the quaint notion that the truth will win out, that facts are king.

Bobby's partner, John Schwartz, was also part of a police family. John's father, uncle, brother, and brother-in-law were all in the NYPD. John took and passed the police exam when he was still a teenager, and he joined the family business at his first chance, when he turned twenty. Linebacker-sized, his hair snow-white, John looked older than his years and was all business.

It didn't take me long to learn that being a detective in NYC was much different than it was in Vegas. The Vegas cops, for starters, had way more institutional support. They had department-issued cellphones. New York cops had to use their own cellphones, and there was no policy of reimbursing them for the hundreds of calls made during an investigation. Vegas detectives each had their own department-issued car. In the Bronx, detectives shared old junkers that in some cases were so beat up they needed a milk crate to support the seats. Bobby and John didn't even have official email addresses. They had to print their own business cards to hand out when asking people to contact them with tips.

As for their hours, you'd need an MBA to understand how the department is organized, but basically it works like this: All detectives are assigned to one of four "teams," lettered from A to D. For each team, there is a four-day rotation of shifts, starting at 4:00 p.m. on the first day. Detectives work 4:00 p.m. to 1:00 a.m., then 4:00 p.m. to 1:00 a.m. again the next day. Then comes the "turnaround." The next two days, their shifts begin at 8:00 a.m., so if it takes them an hour to get home to bed, on the first day of the turnaround that leaves time for only about four hours of sleep at most before they have to be back at the precinct. Homicide cops never really get much rest—it's part of the job—but this ABCD system ensured it. Even veteran detectives worked this schedule. And so did I.

Despite it all, this was Bobby Addolorato's dream job. He was happy as long as he had his coffee, the good coffee—French vanilla from the automatic machine at the Texaco station on 182nd Street.

At age forty-one, Bobby was at the top of his game. He would soon be promoted to the highest rank for a detective, first grade, earned by roughly three hundred of more than five

thousand detectives in the NYPD who carry the coveted gold shield, an achievement his partner, John, had recently earned. Bobby loved working at Bronx Homicide, where he could parachute as needed into fresh homicides, and the boss was a tolerant lieutenant who would let him blast his Bruce Springsteen CDs in the squad room.

By the time I met him, Bobby had been on the job for eighteen years and had made around fifteen hundred arrests. He'd taken down some of the most violent killers the city had ever seen. He'd walked countless miles through dangerous back alleys, always trying to figure out the same things: *What happened? Who did it? How? Where are they and when can I pick them up?*

I worked Bobby and John's hours, ate at their hangouts, and saw the grisly crime scenes they worked, so we spent a lot of time together. Bobby and I soon formed a special bond. Perhaps that's why he decided to tell me about something that had nothing to do with the idea I had pitched. It was about two weeks into our project.

"You see some terrible things," I said to Bobby. "You must bring this job home."

"You know, I really don't," he told me. Then he paused. "Except this one case. It keeps me up at night."

What happened in that case, Bobby explained, was that two men were serving twenty-five years to life for a 1990 murder he believed they didn't commit.

"How do you know they didn't do it?" I asked.

"Because," he said, "I know who the real killers are."

SITTING IN THE BACKSEAT of an unmarked police car as detectives Bobby Addolorato and John Schwartz raced to the scene of a murder, sirens blaring, driving a thousand miles an hour under the elevated trains in the Bronx, I felt like I was in a scene from the 1970s action thriller *The French Connection*. My adrenaline was pumping. This was the kind of ride that journalists like me dream of, in the heart of the action.

But my mind and focus were elsewhere. I couldn't stop thinking about what Bobby had recently told me: that he believed two innocent men named David Lemus and Olmedo Hidalgo were languishing in prison for the 1990 Thanksgiving night murder of a bouncer at the Palladium nightclub in Manhattan. Bobby said he was convinced Lemus and Hidalgo were innocent because he believed that the guys who had done it were two gang members from the Bronx whom he'd investigated and arrested for other murders, Thomas "Spanky" Morales and Joey Pillot. In the weeks after we met, I peppered Bobby with questions. It was a story I wanted to know more about, and it was pulling me in.

To help me understand why he thought Spanky and Joey were guilty and Lemus and Hidalgo were innocent of the Palladium murder, Bobby said he had to take me back to his early years on the job. At the time he graduated from the police academy, in 1985, crime was surging in New York at unprecedented levels. While tabloids portray the city today as more dangerous than it's ever been, that's objectively not true, not by a long shot. In 1990, when Bobby was a young cop, New York's murder rate was the highest in the city's history. That year there were 2,245 murders—and 100,280 robberies.¹ By contrast, in 2022 there were 438 murders, down from 488 in 2020—and 17,411 robberies.²

One of the biggest stories back then had happened in 1989—the rape of a jogger in Central Park. Five teenagers were arrested and paraded in front of dozens of rolling cameras. The "Central Park Five"—or the "Exonerated Five," as they became known after their convictions were vacated in 2002—were described as a group of "wilding teens" who brutally raped a woman and left her for dead. Donald Trump ran an ad in *Newsday* calling for their execution, headlined: "Bring Back the Death Penalty! Bring Back Our Police!"

A year later came another horrible act of violence: the random and senseless murder of a twenty-two-year-old tourist from Utah named Brian Watkins, who was visiting New York with his family over Labor Day weekend to attend the US Open tennis championship. As they were heading out to dinner, the family was mugged by a group of teenagers on a Midtown subway platform. Brian was stabbed to death, and the city exploded. Enough was enough. The *New York Post* ran a full-front-page cover pleading with then-mayor David Dinkins: "Dave, Do Something!" and articles with headlines like "New York Streets Are Awash in Blood!"

Within two days, detectives had their suspects in the subway stabbing, saying that they'd all confessed on videotape. Like the Central Park Five, this alleged "wolf pack" of seven teenagers

were paraded in front of the city's news media as they piled into a police van. Despite only one of them having a knife, all would be convicted of murder and sentenced to twenty-five years to life. Years later, I would learn that one of those teenagers was innocent and would be robbed of the next quarter century of his life.

Then, on Thanksgiving night 1990, just two months after the subway stabbing, there was a high-profile shooting at the Palladium, an enormous nightclub in the East Village, Manhattan's scruffy bohemian enclave. Two hotheads were ejected and began arguing with the bouncers. They then walked down the street to get their guns from the trunk of their car, came back with a few friends, and started shooting right there on Fourteenth Street, killing Markus Peterson, a Palladium bouncer.

Bobby was up in the Bronx at the time and knew nothing about it. "I had never heard about the Palladium murder in 1990 when it actually happened," Bobby said. "Not only did Manhattan feel like a different country, but I had my hands full back then."

Bobby was a detective assigned to the 40th Precinct, or the "4-0," in the South Bronx. It was known as "the baddest station in the nation," because at the time, Bobby's precinct was among the most violent in America.

According to census records, it was the single poorest precinct in New York, one of the most dangerous, drug-infested places to live in the whole country. The median income of the South Bronx in 1991, according to the *New York Times*, was \$7,600,³ just over \$17,000 when adjusted for inflation.⁴

Bobby and his fellow officers were investigating a never-ending stream of killings, rapes, and shootings. He would come to learn that much of the violence was committed by the C&C gang, as it was known, led by George "Cal" Calderon and Angel Padilla, Calderon's cousin, whose nickname was "Cuson."

Bobby explained to me that in the early 1990s he was the detective assigned to take down the C&C gang, and he would come to understand the inner workings and brutal crimes of C&C better than some of its members. On an organizational chart Bobby showed me of the gang, George Calderon was the Bronx's John Gotti, the kingpin running the business and orchestrating the violence, but Bobby could rattle off the name of every last henchman like they were relatives.

As Bobby described the operation for me, he seemed almost impressed by how diabolically clever the whole thing was.

"Rather than sell drugs, C&C would rent out corners in the neighborhood to various dealers. Each corner in the neighborhood was leased by different dealers selling crack and heroin. In exchange, C&C would provide security from competition and from other criminals. For every dollar sold, C&C would get a cut, and never had to touch the drugs."

Bobby explained that George Calderon and Angel "Cuson" Padilla were both mass murderers and shrewd businessmen.

"Calderon and Cuson had the cruelest, most sadistic enforcers in the city on their payroll. I mean, *bad dudes*. They dressed in black and carried guns as they patrolled the streets and collected rent, so ruthless that even the hardest drug dealers found them scary."

The seven square blocks C&C owned were the Walmart of the trade, supplying drugs to much of the East Coast, and from this humble location C&C regularly netted \$400,000 a month—at least. Calderon demanded payment a week in advance, and he had about seventy or eighty dealers renting space at any given time.

One day Bobby drove me to a block C&C once controlled, pulled his cruiser into a parking

spot, and pointed up at the roof.

“George Calderon, wearing a long fur coat, would stand up there and fling handfuls of bills down onto the street.” He mimicked flinging money down like rain. “He’d yell down, ‘Go home and feed your kids and tell them Uncle Georgie loves them!’ And men, women, and children would pocket as much of the money as they could as they shouted back, ‘Calderon, we love you!’”

To the families who lived there, Calderon provided hope. And if anyone ever needed a savior, it was the residents of this part of the world. He fed them, clothed them, and protected them. He owned the neighborhood.

What made it all work so efficiently, Bobby explained, were “the rules” and their strict enforcement. Calderon considered himself the sheriff of these streets. Some of the rules were obvious: pay your weekly rent to the security force. Others were more idiosyncratic: no drug sales while children walked to and from school.

“In his own twisted way, Calderon saw himself as ethical,” Bobby told me with a laugh. A first violation of those “rules” resulted in a warning that came in the form of a fairly simple beating, perhaps a black eye and a fat lip, and a minimum fine of \$500.

Second violation: the dealer who broke the rules got a “chicken leg,” meaning he’d be shot in the kneecap and forced to hop around like a chicken.

If there was a third infraction, the penalty was death. “So, you’re dead, no question,” Bobby said. “The only question was how grisly it would be, like they might just pull your teeth out with a wrench before they did it, or they’d get more creative.”

In the basement of C&C’s headquarters at 550 East 139th Street, scores of victims were pistol-whipped, hacksawed, and electrocuted. I was riveted by Bobby’s stories about atrocities that had happened only miles from my own apartment.

Bobby explained that as a young patrol officer, he would sit in his crappy undercover police car with springs from the seat poking into his back as he watched Calderon drive through the neighborhood in his Rolls-Royce like he owned the place. Bobby vowed to take the neighborhood away from C&C. He hated to think that a whole generation of children would grow up thinking this was the way life was. What irked him most was Calderon’s unabashed arrogance, as if daring Bobby to challenge him.

He told me one story that even he admitted sounded like it came from Hollywood. One day he was sitting in his cruiser on a stakeout when Calderon came up from behind and knocked on his window.

Bobby rolled it down.

“Just so you know, I’m in charge here,” Calderon informed the young cop.

“There’s a new sheriff in town,” Bobby replied.

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When I first met Bobby, one of the first things he said to me was, “All you have in this life is your word. I stand by everything I say and do.” It was a reputation he maintained with both colleagues and crooks. He’d tell you how he saw it, and he always kept his promises.

This philosophy had served Bobby well and made him particularly gifted at cultivating informants. One of the most valuable sources was Benny Rodriguez, a member of the C&C gang and Calderon’s cousin, driver, and bodyguard. Benny was a real trip—a former crackhead and

stickup artist who cruised the city streets in a Cutlass.

In 1992, Benny had a falling-out with the gang after he testified in a murder case against a fellow C&C guy. This betrayal led Bobby to compare Benny to Fredo from *The Godfather*.

Somehow Benny managed to escape with his life, although a gang member had put a gun in his mouth and broken his arm. The experience spurred Benny to cut a deal, confessing to his own gun and drug charges in exchange for becoming an informant and a valuable source of information for Bobby to learn about the inner workings of C&C and the crimes members of the gang committed.

“He’s giving up everybody at this point,” Bobby said. “He was trying not to get killed. He wanted to go into witness protection.”

Benny was being kept hidden in a hotel in Queens by the NYPD, which is where Bobby went to speak with him. Among the many crimes that Benny told Bobby about in that hotel room was a murder that Benny said he’d witnessed two years earlier, in 1990, at the Palladium nightclub in Manhattan on Thanksgiving night. Bobby had never heard about it.

Bobby recounted for me what Benny told him, and I would later interview Benny myself on camera, twelve years after the Palladium murder, standing on the street outside where it all happened.

Benny said that on Thanksgiving night in 1990, the C&C crew was ready for some downtime. After a huge meal at the home of the boss’s sister, the C&C enforcers put on their leather jackets and silk shirts, looking forward to salsa dancing and picking up women at the Palladium. Featuring a dozen Latin bands, the club would draw more than two thousand people that night.

Sluggish after too much turkey, C&C’s boss, Calderon, didn’t want to join his boys. So as soon as it was clear he was no longer needed by the boss, well after midnight, Benny drove to the Palladium alone, he said. While circling in his Cutlass for a parking spot by the nightclub on Fourteenth Street, Benny saw two C&C enforcers, Thomas “Spanky” Morales and Joey Pillot, outside the club.

“I’d parked my car across the street, and I was ready to go in when I saw Spanky and Joey coming out of the club. They’re, like, drunk, one holding the other guy. I’m thinking, ‘What the fuck is going on?’ They go away. So, when I’m looking in the rearview mirror, I see them both coming back running. I saw Spanky and Joey both with guns, and then all of a sudden, I saw Spanky open fire on the bouncers.”

Benny mimicked, “Bang Bang. I’m just looking at Spanky’s gun going off. Joey had his gun, too. But I didn’t see Joey’s gun go off. There was a lotta people ducking down. And two guys fell. It was a Black guy and a white dude. Both of them hit the floor.”

Benny was right. Two men were shot. The Black man was Markus Peterson, a twenty-three-year-old Palladium bouncer. His injuries were fatal. Five foot eleven, with cut muscles and broad shoulders, Markus was serious about bodybuilding and dreamed about entering national competitions. He also volunteered his time teaching weightlifting to kids at a Brooklyn recreation center near his home. The bouncer’s gig was just a way to make extra money and sample Manhattan nightlife.

The white man Benny saw get shot was the Palladium’s security boss, former Manhattan police officer Jeffrey Craig, age thirty, who would survive a gunshot to his leg. Turned out Craig’s old precinct was the nearby 9th. His former colleagues would be the ones to handle the Palladium investigation and were hell-bent on finding the gunmen who had hurt one of their own.

Back in December 1992, after Bobby heard all this from Benny and confirmed there had been a Thanksgiving night murder two years earlier at the Palladium, Bobby brought Benny to meet with Stephen Saracco, the Manhattan assistant district attorney responsible for the Palladium case.

At the DA's office, Saracco asked Bobby to wait outside while he questioned Benny alone. "I thought it was strange," Bobby remembered. "After interviewing Benny for about a half an hour, Saracco came out, looked me straight in the eye, and said, 'You know what, kid? He's not on the money with his facts.'"

Saracco explained to Bobby that just a few weeks earlier he'd taken two other men to trial for the murder, David Lemus and Olmedo Hidalgo, and a jury had convicted them.

Saracco was confident: "We got the right guys."

So, who were David Lemus and Olmedo Hidalgo?

3

DAVID LEMUS AND OLMEDO HIDALGO

THE 1990 THANKSGIVING NIGHT murder of Markus Peterson at the Palladium nightclub touched off a citywide manhunt for his killers, and Manhattan detective Victoria Garcia of the NYPD was assigned as the lead investigator. It was her third homicide investigation.

Seven weeks later, David Lemus, a twenty-two-year-old Hispanic man with floppy dark hair, was at a courthouse for a probation violation hearing after he was caught riding in a stolen car. That's where Detective Garcia found Lemus and told him his mug shot had been picked out by witnesses to the shootings at the Palladium.

Police later claimed that, also as a result of eyewitness identifications, they had captured Lemus's accomplice, Olmedo Hidalgo, who was twenty-four. In 1992, the Manhattan DA tried Lemus and Hidalgo together, and they were convicted of second-degree murder and sentenced to twenty-five years to life.

I met Lemus and Hidalgo a decade later, in 2002, a couple of months after Bobby first told me about them. Both were housed at Green Haven Correctional Facility, a New York State maximum-security prison. That August I interviewed both men on camera as they sat at desks in a prison classroom with their legs and wrists chained. Because Hidalgo didn't speak English and I don't speak Spanish, Lemus served as an interpreter. A couple of times during the interview, when the men became emotional, I wiped away their tears because, with their hands shackled, they couldn't reach their faces on their own.

At the time of the murder, Lemus told me, he was living in the Bronx with his mother and was a part-time construction worker. He said he sometimes scored cocaine for his friends and was once caught riding in a stolen car, but that had been the extent of his legal problems.

At the time, Lemus had a steady girlfriend named Janice Catala, but he was also involved with Dolores Spencer, an older, married mother of three. Lemus said Dolores cared about fast cars and tough guys, and he wanted to impress her. When he heard a TV news report about the Palladium shooting the day after it happened, he claimed that he had done it, painting himself as avenging a woman's honor in hope that the display of machismo might impress his married lover. It was a boast he would deeply regret.

I already knew the details of the crime from reading through police reports and court transcripts. I knew that David's story didn't match up with the facts of what actually happened at the Palladium that night, but of course Dolores didn't know that and had confided in a friend about what Lemus had told her. A few weeks later, when the friend was arrested on a prostitution charge, she offered up the tidbit of information she'd learned from Dolores in exchange for leniency. And that's why detectives picked up Lemus, brought him to the 9th Precinct, and put him in a lineup.

"I didn't think that it was gonna go any further than that precinct. You know?" David told me. "I was saying to myself, 'I know I wasn't there, so they're not gonna pick me out.'"