

# Brink's trial highlights O'Connor's behavior

By Rob Cullivan  
Staff writer

ROCHESTER — Thomas F. O'Connor, a retired Rochester police officer, was at the center of much of the testimony heard during the last week in the trial of four defendants charged with conspiring to rob a Brink's armored car depot on Jan. 5, 1993.

Along with O'Connor, three New York City residents face charges of participating in the robbery and conspiracy to receive and possess stolen cash. They are: Father Patrick Moloney, a Melkite Catholic priest; Samuel Ignatius Millar, an illegal Irish alien; and Charles M. McCormick, a social worker and teacher.

The heist netted \$7.4 million, the fifth-largest illegal haul in U.S. history. All four men have pleaded not guilty to all charges in the case, which is being tried at the Kenneth Keating Federal Building, 100 State St.

During questioning of witnesses, Assistant U.S. attorney Christopher Buscaglia attempted to portray O'Connor, a former Brink's employee, as a man who acted suspiciously in the days following the robbery. Buscaglia's approach implied O'Connor attempted to evade even routine, reasonable questioning by various investigators, who found him a reluctant talker.

On Thursday, Oct. 13, Rochester Police Sergeant Mark Merklinger, an investigator with the physical crimes unit, testified that O'Connor "appeared to be a bit nervous," when Merklinger and another investigator questioned him at Park Ridge Hospital the night of the robbery.

A Greece police officer had taken O'Connor to the hospital after he had been released by captors near the Brook House Restaurant.

In particular, Merklinger said O'Connor was evasive when asked how his captors had removed his gun belt, and when asked to describe the vehicle they were driving. He added that O'Connor asked the investigators to leave after only about 10 to 15 minutes, complaining of pains in his chest.

When cross-examined by O'Connor's attorney, Felix Lapine, Merklinger further stated that O'Connor "acted nervous, didn't care to answer questions," and was "a bit evasive at times."

But in his cross-examination of the witness, Lapine pointed out that Merklinger had omitted the fact that a member of O'Connor's family — not O'Connor himself — insisted that the investigators leave the hospital. Merklinger confirmed Lapine's statement.

Lapine also noted that Merklinger, who testified that O'Connor declined to cooperate with investigators in the days ahead, failed to acknowledge that O'Connor eventually did give a statement to Rochester police.

Lapine's defense strategy appeared designed to paint O'Connor as the innocent victim of a robbery and kidnaping who simply wanted to get some sleep in the days after the ordeal.

Having been badgered by the news media — and maligned by the Federal Bureau of Investigation, which early on leaked reports that O'Connor was a suspect — the Brink's guard was simply reluctant to speak candidly, Lapine maintained.

Indeed, within a few days of the robbery, O'Connor was willing only to talk to his former comrades in the city police department, and gave an eight-and-one-half page statement on Jan. 9, 1993, to Rochester police. A police investigator read the statement in court on Monday, Oct. 17.

In the statement, O'Connor contended that he had been forcibly abducted

by the armed and masked robbers at the depot. The defendant said his captors had driven him around the city in a large truck before transferring him to a car and later releasing him near the Brook House Restaurant in Greece.

O'Connor's statement claimed that as his captors drove him around in the car, one of them said: "The only reason I'm not going to kill you is this is the happiest day of my life."

O'Connor also maintained to police that the robbery must have been an inside job because his captors apparently knew not to lift the depot's garage door too high.

"First of all, they had to know about the garage door sticking if it opened too far up," he said in his statement.

In earlier proceedings, one of the two guards who was working with O'Connor the night of the robbery testified that he had complained to superiors on several occasions about the depot's vulnerability to break-in. Lapine used the guard's testimony in an apparent attempt to suggest that anyone off the street could have broken into the depot.

On Wednesday, Oct. 13, Richard Popowich, who was bound and blindfolded with a canvas bag the night of the robbery, told the court that he later

quit his job because Brink's never acted on his requests to beef up security.

Under cross-examination by Lapine, Popowich testified, for example, that the depot's wooden outside door could be knocked open with the push of a shoulder. A lock on an armored door just inside that entrance was occasionally picked open by employees with a credit card, he added.

Popowich also remarked that the depot lacked an adequate number of surveillance cameras, making it possible for intruders to enter the depot unseen.

"I quit because of concern for my safety," he said.

## Haitian Catholics praise U.S. for its role

By Rob Cullivan  
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ROCHESTER — Like many of his fellow Haitians celebrating the return of Father Jean-Bertrand Aristide to the presidency he lost in a coup three years ago, Lys Francis will never forget Saturday, Oct. 15, 1994.

"I was very overwhelmed," said Francis, a parishioner of Holy Family Church, 415 Ames St. "I felt like the country had finally been liberated."

Thronged of exultant Haitians greeting Father Aristide as he returned to Port-au-Prince, Haiti's capital, apparently shared Francis' feelings in good measure.

Here in the Diocese of Rochester, Haitian Catholics like Francis watched TV reports of Saturday's events in their native land with intense interest.

Francis, 37, moved to the United States in 1974, but still retains strong feelings for his homeland's fate. He expressed particular gratitude to the U.S. forces who paved the way for Father Aristide's return without a violent invasion.

"Going in and shooting would not really solve the problem of the country," he said. "To have them not going in with guns drawn and shooting was a relief."

Haiti's problem is that it is sorely divided between rich and poor, Francis observed, and violence would have only exacerbated that division. Nonetheless, he expressed sympathy for Haitians who may thirst for revenge against the military rulers who ran the country for the last three years, and who killed and imprisoned a number of Father Aristide's supporters.

"I'm not saying they should be lynched, but they should be judged," Francis remarked of Haiti's former rulers.

Still he agreed with Father Aristide's



AP/Wide World Photos  
Father Jean-Bertrand Aristide Oct. 14 shakes hands with President Clinton at the White House during a farewell ceremony for the Haitian president.

recent emphasis on reconciliation between Haiti's classes, and hoped the priest's peaceful words would lay the foundation for a more just society.

"I don't expect the rich and poor to hold hands and walk together, but I expect them to recognize each other," Francis opined.

If they do recognize each other, it will be because Father Aristide will have learned how to play politics with both classes, explained Sothenes Pierre-Phillipe, a parishioner at Immaculate Conception Church, 445 Frederick Douglass St.

"He was not a politician," Pierre-Phillipe said of Father Aristide. "He was an activist. He came as an activist first, a statesman second."

Indeed, compromise with Haiti's

wealthy elite seemed far from Father Aristide's mind at the time, according to his critics. The president was deposed in 1991 after giving a speech interpreted by Haiti's elite as a call for class warfare.

Yet, even if the priest had softened social and economic reform, he still would have encountered militant resistance from wealthy Haitians, Pierre-Phillipe emphasized.

"Anyone who really understands and tries to do something about the majority of the people in Haiti is going to run into trouble," Pierre-Phillipe said.

Nonetheless, both Francis and Pierre-Phillipe welcomed the mellowing of Father Aristide's rhetoric and expressed hope that it would persuade his opponents to consider working with the priest's government.

"All of the statements he has made so far, all of this indicates that that he is not the same person — at least on the surface," Pierre-Phillipe said. "Maybe he has a better understanding of the forces in Haiti."

Among those forces are about one-quarter of Haiti's upper-class voters who did support Father Aristide, explained Francis, dispelling the notion that the priest was only the candidate of Haiti's majority, a people considered by all accounts to be the poorest in the Western Hemisphere.

Yet Francis, who moved to the United States 22 years ago, noted that he would adopt a wait-and-see attitude before judging the results of Father Aristide's return to the long-suffering Caribbean nation. He cautioned that any real change in Haiti will take time and involve restructuring the economy to better serve the Haitian majority.

"Six years from now, people will really appreciate what President Clinton and the United Nations did for Haiti," Francis concluded.

## Conference to feature noted youth, family minister

ROCHESTER — John Roberto, director and co-founder of the Center for Youth Ministry Development in Naugatuck, Conn., will be the keynote speaker for an Oct. 28-29 conference titled, "Families: Where Ministries Meet," at the Rochester Riverside Convention Center, 123 E. Main St.

Sponsored by Faith Development Ministry of the Rochester diocese, the conference will explore the relationship between families and parishes. The event was planned in response to the diocese's recommendation to make lifelong religious education its top priority after last October's Synod.

According to organizers, the two-day gathering will combine fall Ministry Day with Superintendent Conference Day. It invites both professional church ministers as well as volunteer catechetical and youth ministry leadership to gain a deeper understanding of the links between families and parishes.

Roberto's keynote addresses are titled "Understanding the Family Today," "Developing a Partnership Between Families and Parishes, Families and Catholic Schools," and "Promoting Family Faith Growth in Families." He will also lead a workshop on "Connections: Families and Youth," which will offer practical

approaches, strategies and activities for implementing a family perspective in youth ministry and for working with parents of adolescents.

Roberto holds a master's degree in religious education from Fordham University. In addition to being involved in professional youth ministry at the parish, diocesan and university levels since 1973, he has taught at numerous colleges and universities across the country. He is a nationally recognized trainer in the areas of youth ministry, family ministry and religious education. He is also the author and editor of several publications on youth and family ministry.