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# CNN Justice

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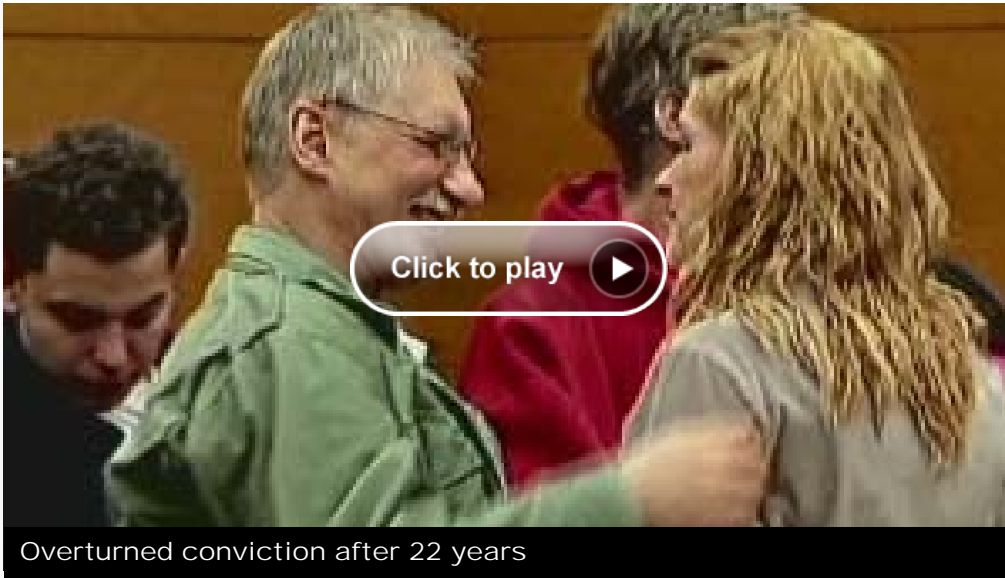
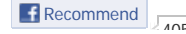
## Freed NY convict's first goal: 'Get the hell out of here'

By Mary Snow and Matt Smith, CNN  
updated 7:25 PM EDT, Thu March 21, 2013

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### STORY HIGHLIGHTS

- NEW:** Decision leaves victim's friend "confused"
- David Ranta served 21-plus years for the killing of a Brooklyn rabbi in 1990
- "I feel like I'm under water swimming," he says after his release
- A witness told prosecutors he'd been coached, leading to the charges being dismissed

New York (CNN) -- After nearly 22 years behind bars, David Ranta walked out of a Brooklyn courthouse Thursday afternoon with an apology from a judge and one immediate wish: "Get the hell out of here."

Ranta had been convicted of second-degree murder in 1991 for killing a rabbi during a botched diamond heist. But two decades later, a onetime witness said he had been coached into identifying Ranta in a police lineup -- and after an investigation, prosecutors recommended that Ranta's conviction be tossed out.

"Mr. Ranta, to say that I'm sorry for what you have endured would be an understatement and grossly inadequate, but I say it to you anyway," Judge Miriam Cyrulnik said during an emotional hearing that left even the judge wiping her eyes.

Asked what he wanted to do now, Ranta told reporters at the courthouse, "Get the hell out of here." And with that, he walked out with his lawyer, carrying a small mesh bag that held his belongings.

"Right now, I feel like I'm under water swimming," he said. "This is overwhelming."



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### Malawi 'widow sex' tradition must end

updated 6:47 AM EDT, Thu March 21, 2013



Seodi White has long been an outspoken campaigner for gender justice in Malawi. She says it is time for a traditional sexual practice to end.



Ranta, now 58, was sentenced to 37 1/2 years to life in prison in the killing of Chaskel Werzberger, a rabbi in Brooklyn's Williamsburg community.

Since Ranta's trial, another man's widow has identified her now-dead husband as the killer; a onetime jail inmate has said he made up statements about Ranta to boost his own fortunes; and the man who, as a boy, picked him out of a lineup has come forward to say he was coached by a detective.

Prosecutors have determined the evidence underpinning Ranta's conviction "has been degraded to such an extent" that it would no longer support the verdict, said John O'Mara, the deputy district attorney in charge of Brooklyn's conviction integrity unit.

Louis Scarcella, one of the detectives who investigated the case, told CNN that Ranta admitted his involvement in the heist attempt and that he stands by the arrest. As for claims that police coached a witness, he said, "No way that happened."

But O'Mara said the investigation found "a number of things that were wrong with the case."

"It was cumulative," he said. New evidence led prosecutors to believe "that we could no longer be confident" that Ranta was guilty beyond a reasonable doubt.

Isaac Abraham, a friend of the victim's, said he had sat through the trial and came away convinced that if Ranta had not been Werzberger's killer, "he was definitely an accomplice."

"Now it's David Ranta's day to suck in some fresh air and enjoy his free life out there," Abraham said. But he said the decision to release him left him "confused."

"Is the shooter still out there? We're pointing to a dead man to close the case? That's asinine," he said.

Werzberger died four days after being shot, a victim of the attempted holdup of a diamond courier. The courier escaped, but the would-be robber shot Werzberger through the window of his parked car, hauled him out of the vehicle and drove off, according to the Brooklyn district attorney's office.

Ranta was arrested six months later, when two men facing trial on their own robbery charges gave his name to police, prosecutors recounted in asking that his conviction be tossed out.

In an initial lineup, only one witness recognized Ranta, and that was after a lengthy conversation with a Yiddish interpreter, they noted. In the second lineup, three youths identified him and repeated that identification in court. One witness who didn't identify him was the courier, the intended target of the holdup.

When questioned by detectives, Ranta initially denied any involvement in the killing. Then he acknowledged knowing one of the jail inmates who identified him, according to prosecutors. He admitted he had been near the scene and knowing his friends had planned a holdup. Then he admitted he had been involved in planning the diamond heist, acted as the lookout and had seen the other men with the gun.

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updated 9:08 AM EDT, Thu March 21, 2013



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updated 8:08 AM EDT, Thu March 21, 2013

Questions arise after a photo was released of a listening device in a room where

"The police had an alleged confession from him, but there was no physical evidence," Michael Baum, the lawyer who represented Ranta at his trial, told CNN. "The jewelry courier, he testified for the defense, saying that Ranta wasn't the guy."

Four years after Ranta's conviction, a woman named Theresa Astin came forward to say her husband had been the killer. Joseph Astin, who had died in a 1990 car accident, had been possible suspect before: Scarcella had brought the courier to the morgue in hopes that he could identify Astin as the gunman, but he couldn't.

Baum sought a new trial for his client based on the widow's testimony, without success. Then in 2011, one of the kids who picked Ranta out of a lineup got in touch with him. Menachem Lieberman later told investigators he identified Ranta after being told by a detective to "Pick the guy with the big nose."

"It was on his conscience for all these years," Baum said. "He was 13 years old at the time. He was just a kid. He was just doing what they told him to do."

Baum went to O'Mara's office, and O'Mara's recently created unit began to dig into Ranta's case. One of the two jail inmates who put the finger on Ranta had since died; the second told prosecutors he had fabricated earlier statements he made about Ranta, hoping that his cooperation would help his own criminal case. His girlfriend at the time confessed that her account was manufactured as well. And Theresa Astin reiterated her previous testimony.

Scarcella said the case against Ranta was "very simple," and he sharply disputes Lieberman's account of being coached.

"They're saying that I framed it," Scarcella said. "I want to go on record saying this: I never framed anyone in my life, and you would have to be a low, low devil to do something like that. I slept very good for the last 22 years."

But Sussman called the case "a travesty of justice from the beginning."

"My client's parents passed in the first year that he was incarcerated," he said. "His daughter, who is here today, who is six months pregnant, was 2 years old. And he is blessed, and we are so happy he is here with all of us now today."

CNN's Aaron Cooper, Raelyn Johnson and Laura Ly contributed to this report.



attorneys met with terror detainees at Guantanamo Bay.

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updated 10:52 AM EDT, Wed March 20, 2013



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updated 7:43 AM EDT, Thu March 21, 2013



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**NotYoDaddy** • 5 hours ago

"Brooklyn prosecutors recommended that David Ranta's conviction be tossed out after a onetime witness said he had been coached into identifying the suspect in a police lineup"

Then the Dic that coached him should be doing the NEXT 22 YEAR STINT!

286 2 • Reply • Share ›

[Elma Quintos-motwani](#) > [NotYoDaddy](#) • 5 hours ago

also the "witness" sh be doing 22 yrs

83 9 • Reply • Share ›

[mpath1](#) > [Elma Quintos-motwani](#) • 4 hours ago

Ordinarily I'd agree, but the article said that the witness was just a boy at the time.

97 3 • Reply • Share ›

[nakerpel](#) > [mpath1](#) • 4 hours ago

Perhaps the boy should have told his parents the cops told him to lie ...

How does one even begin to compensate for 2 decades of this mans life. Money is great but we only get so much time on the planet.

74 • Reply • Share ›



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[LongJohnDave](#) > [nakerpel](#) • 4 hours ago

They didn't say they taught him to lie. You cannot expect a boy to distinguish independently right and wrong when being influenced by someone in a position of authority. The kid probably thought he was doing something positive at the time.

46   • [Reply](#) • [Share](#) ›

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[then00b](#) > [LongJohnDave](#) • 3 hours ago

They know right from wrong, but people with the position of authority know how to abuse that and their power.

8   • [Reply](#) • [Share](#) ›

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[BM](#) > [nakerpel](#) • 4 hours ago

Well he was part of the heist. So he was part of what happened.

18   • [Reply](#) • [Share](#) ›

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[Jimmy](#) > [BM](#) • 2 hours ago

Yeah, that confuses the crap out of me. Was he a part of it or not, was he fully innocent or partially. I guess 22 years is enough though. Hope we don't hear about him again.

2   • [Reply](#) • [Share](#) ›

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[Jose DelMadre](#) > [BM](#) • 3 hours ago

So says the detective who investigated it and no doubt as the OP stated was likely involved in coaching the witness. If so they should have it on tape. If not he's lying.

1   • [Reply](#) • [Share](#) ›

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[anchorite](#) > [nakerpel](#) • 4 hours ago

Coached doesn't mean lie, it means he was strongly suggested to by a policeman. Kids don't know any better, which is why their testimony isn't usually even allowed. They are too suggestible.

12   • [Reply](#) • [Share](#) ›

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[BM](#) > [anchorite](#) • 4 hours ago

Yes you can ask a question in such a way as to guide the person being questioned.

6   • [Reply](#) • [Share](#) ›

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[George Powell](#) > anchorite · 3 hours ago

Yes, kids are suggestible - like in the NC Edenton and CA McMartin bogus cases. Not saying stuff don't happen - it should be dealt with. But when kids are "interagated" cameras should be full time on both, the kid AND the social worker/detective, to expose body language effect as to whether or not they are cajouled (possibly repeatedly) into what they want to hear.

3   · Reply · Share ›

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[ObiterDictum00](#) > nakerpel · 4 hours ago

True, but a few million might ease the pain a bit.

3   · Reply · Share ›

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[Nobody N Particular](#) > nakerpel · 3 hours ago

According to the article he was not completely blameless, since by his own admission, he helped planned the robbery. But, that is a far cry from actually committing it, and the murder which it appears is unprovable at this time.

2   · Reply · Share ›

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[paulsimon](#) > Nobody N Particular · 41 minutes ago

There are questions about the authenticity of the 'confession'.

0   · Reply · Share ›

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[getbackjack](#) > nakerpel · 2 hours ago

the man that was in arizona for 22 months got 15 mil, so this guy will probably get 150 mil. ny has gobs of money, or people think.

0   · 1  · Reply · Share ›

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[llandyw](#) > getbackjack · an hour ago

The one in AZ was mentally ill, was kept in solitary confinement almost the whole time, never had his day in court, and was never even charged. He got the 15M because of all the abuse that was dealt out to him. Most states have laws that provide for situations like this, and it's usually based on the time the person was in jail/prison. 22 years will amount to a fair bit of cash. However, the AZ case can't be compared to this one due to the abuses that took place.

4   · 1  · Reply · Share ›

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[getbackjack](#) > llandyw · 41 minutes ago

thank you for pointing that out, you are so much more wiser than i.

:

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[David Saint](#) > nakerpel • an hour ago

its not the kids fault..and if he sought out the guys lawyer to tell the truth, as opposed to being approached, then that says something..

0   \* Reply \* Share ›

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[Sunny](#) > nakerpel • 2 hours ago

@nakerpel and then there are some of us who have time but worry about money (or lack of it) so much that they can't enjoy the time

0   \* Reply \* Share ›

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[Awesome](#) > nakerpel • 2 hours ago

The cops probably like mafia offered the kid protection in return for lying in favor to them. Pigs!!!

0   \* Reply \* Share ›

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[Jimmy](#) > nakerpel • 3 hours ago

Fear, can you imagine the intimidation cops had at the time. You think the boy didn't fear for his and his families safety subconsciously. It's New York in the late 80's early 90's..

0   \* Reply \* Share ›

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[jbmobil](#)e > mpath1 • 3 hours ago

Yes, he was a boy at the time, but they said that it had been something like 20 years since it happened. At what point does the kid become old enough to do something to correct what was done?

4   \* Reply \* Share ›

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[Robert Dewey](#) > jbmobil • 3 hours ago

On the other hand, if you make the penalty harsh for coming forward... then nobody would ever come forward.

1   \* Reply \* Share ›

---

[Mark](#) > jbmobil • 3 hours ago

Even if he were older than what we might consider a boy is independent of whether he was coached. A detective in a position of authority can be darn persuasive. If a witness is sufficiently malleable its possible they would be easier to coach.

1   \* Reply \* Share ›

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[sfeighner](#) > jbmobilie • 3 hours ago

As long as it takes...

0   \* Reply \* Share ›

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[Maryanne](#) > mpath1 • 3 hours ago

That would make the Dic twice as culpable...once for coaching and again for taking advantage of a child.

1   \* Reply \* Share ›

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[onaturalia](#) > mpath1 • 4 hours ago

The boy lied then tried to blame the police. That the way I'm reading this.

1   3  \* Reply \* Share ›

---

[bandit7199](#) > onaturalia • 2 hours ago

Police are the biggest liars on the planet. All you have to do is sit through court one day and listen to every officer say the same things about the same type of cases. Why anyone puts more faith in a law officer's testimony is beyond me. They lie all the time.

5   1  \* Reply \* Share ›

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[Gonzol](#) > Elma Quintos-motwani • 4 hours ago

Aside from the fact that he was a child at the time, we also don't know what pressure was put on the witness to give the false testimony. In desperation for what they perceive as "justice", police and prosecutors have done heinous things in the past to get convictions.

22   \* Reply \* Share ›

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[smallzy22](#) > Elma Quintos-motwani • an hour ago

No. The detective who coached the witness to identify David is the one who should be fired and prosecuted. But don't worry, that will NEVER happen.

1   \* Reply \* Share ›

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[Cynthia Nordstrom](#) > Elma Quintos-motwani • 3 hours ago

He was just a kid. I think the guilt he's felt is enough.

1   \* Reply \* Share ›

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[TCIM](#) > NotYoDaddy • 5 hours ago



Bearing false witness against a neighbor leads to punishment of a crime not committed. Now there are three crimes, the attempted heist, murder and false witness. What is the truth? No body knows. David Ranta would like to find out I'll bet.

16   \* Reply \* Share ›

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[LongJohnDave](#) > TCIM • 4 hours ago

Whats I see is that he got off for lack of evidence and because a cop did some questionable things with a witness. They did not say he did not commit the crime, only that the evidence could not prove he did it. Did he do it? No one knows but he was set free, rightfully, because the case could not be proven against him.

9   2  \* Reply \* Share ›

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[Cynthia Nordstrom](#) > LongJohnDave • 3 hours ago

Perhaps you should read the article again. It states the prosecutor admits there is nothing that points to his guilt without the false witness, etc.: "An investigation found other problems with the case, leading them to conclude the 1991 verdict could no longer be supported by the evidence". Besides, eye witness testimony is the most unreliable of all allowed evidence. It's been found to be wrong the majority of the time.

3   \* Reply \* Share ›

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[southbound88](#) > TCIM • 3 hours ago

Because maybe the real murderer has been on the loose for 20+ years...killing other people. Or maybe the rabbi was the target in the first place...and the heist was the ruse.

4   \* Reply \* Share ›

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[Anonymous](#) > southbound88 • 3 hours ago

ok, that is a bit of a stretch...

0   \* Reply \* Share ›

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[Carolyn Gray](#) > NotYoDaddy • 5 hours ago

Nope prosecutors are immune from liability. Remember this the next time you hear someone demand the death penalty - hundreds wrongly convicted have been freed - who would have otherwise been dead...

32   4  \* Reply \* Share ›

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[cnwilli](#) > Carolyn Gray • 4 hours ago

so there is no such thing as prosecutorial misconduct or suborning perjury?

17 \* Reply \* Share ›

Elohim > cnwilli \* 4 hours ago

Prosecutors should not be immune, but that's the US system for you - it's so wonderful ...

19 \* Reply \* Share ›

cnwilli > Elohim \* 4 hours ago

i didn't say they were immune. i don't believe they are.

2 \* Reply \* Share ›



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# Jailed Unjustly in the Death of a Rabbi, Man Nears Freedom



Dith Pran/The New York Times

Thousands of mourners attended the funeral for Chaskel Werzberger in Brooklyn in 1990.

By MICHAEL POWELL and SHARON OTTERMAN  
Published: March 20, 2013 | 363 Comments

In the wintry darkness 23 years ago on a back street in Williamsburg, Brooklyn, a jewelry thief fleeing a botched robbery panicked and shot a Hasidic rabbi in the head.

### Multimedia

DOCUMENT: David Ranta's Statement to Court, 1991

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Four days later, the rabbi, Chaskel Werzberger, an Auschwitz survivor, died of his wounds. Even in the New York City of 1990, as homicides crested at 2,245, the murder stirred grief and outrage. The "Slain Rabbi" was front-page tabloid news. Mayor David N. Dinkins traveled to Williamsburg's Satmar enclave to sit in mourning and to offer a \$10,000 reward.

The new Brooklyn district attorney, [Charles J. Hynes](#), stood shoulder to shoulder with fur-hat-wearing Satmars,

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Hasidic Rabbi Shot in Head As Attacker Steals His Car (Feb. 9, 1990)

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Doug Benz for The New York Times

David Ranta, 58, who is incarcerated at Wende Correctional Facility in Alden, N.Y., may be released as early as Thursday.

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witness told The New York Times that a detective instructed him to select Mr. Ranta in the lineup. A convicted rapist told the district attorney that he falsely implicated Mr. Ranta in hopes of cutting a deal for himself. A woman has signed an affidavit saying she too lied about Mr. Ranta's involvement.

Detective Scarcella and his partner, Stephen Chmil, according to investigators and legal documents, broke rule after rule. They kept few written records, coached a witness and took Mr. Ranta's confession under what a judge described as highly dubious circumstances. They allowed two dangerous criminals, an investigator said, to leave jail, smoke crack cocaine and visit with prostitutes in exchange for incriminating Mr. Ranta.

At trial, prosecutors acknowledged the detectives had misbehaved but depicted them as likable scamps. Reached in retirement on Tuesday, Mr. Scarcella defended his work. "I never framed anyone in my life," he said.

No physical evidence ever connected Mr. Ranta to the murder.

He now sits in a cell at a maximum-security prison outside Buffalo. He is a touch shy; his gray hair is fast thinning. His voice still carries the slantwise intonations of working-class south Brooklyn. Asked how he survived, he said he was not sure he had.

"I'd lie there in the cell at night and I think: I'm the only one in the world who knows I'm innocent," he said. "I came in here as a 30-something with kids, a mother who was alive. This case killed my whole life."

A Guilty Verdict

It began with a fumbled robbery on Feb. 8, 1990.

Chaim Weinberger, a courier for Pan American Diamond Corporation, left his apartment

watching as they rocked back and forth and wailed as the pinewood coffin was carried out. He vowed to bring the killer to justice.

Forty detectives worked the case, soon led by the swaggering, cigar-chewing Detective Louis Scarcella. Working closely with an influential Satmar rabbi, Detective Scarcella arrested a drug-addicted, unemployed printer named David Ranta. Hasidic Jews surrounded the car that carried the accused man to jail, slapping the roof and chanting, "Death penalty!"

Mr. Ranta was convicted in May 1991 and sentenced to 37.5 years in maximum-security prison, where he remains to this day.

He is almost certainly not guilty.

This week Mr. Hynes, after a long investigation by a unit that he created to look into questionable convictions, plans to ask a state judge to release the prisoner. Mr. Ranta's lawyer, Pierre Sussman, who conducted his own inquiry, said his client has been instructed to pack up his cell.

Mr. Ranta could walk free as early as Thursday. In the decades since a jury convicted him of murder, nearly every piece of evidence in this case has fallen away. A key



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March 20, 2013

# Jailed Unjustly in the Death of a Rabbi, Man Nears Freedom

By **MICHAEL POWELL** and **SHARON OTTERMAN**

In the wintry darkness 23 years ago on a back street in Williamsburg, Brooklyn, a jewelry thief fleeing a botched robbery panicked and shot a Hasidic rabbi in the head.

Four days later, the rabbi, Chaskel Werzberger, an Auschwitz survivor, died of his wounds. Even in the New York City of 1990, as homicides crested at 2,245, the murder stirred grief and outrage. The “Slain Rabbi” was front-page tabloid news. Mayor David N. Dinkins traveled to Williamsburg’s Satmar enclave to sit in mourning and to offer a \$10,000 reward.

The new Brooklyn district attorney, **Charles J. Hynes**, stood shoulder to shoulder with fur-hat-wearing Satmars, watching as they rocked back and forth and wailed as the pinewood coffin was carried out. He vowed to bring the killer to justice.

Forty detectives worked the case, soon led by the swaggering, cigar-chewing Detective Louis Scarcella. Working closely with an influential Satmar rabbi, Detective Scarcella arrested a drug-addicted, unemployed printer named David Ranta. Hasidic Jews surrounded the car that carried the accused man to jail, slapping the roof and chanting, “Death penalty!”

Mr. Ranta was convicted in May 1991 and sentenced to 37.5 years in maximum-security prison, where he remains to this day.

He is almost certainly not guilty.

This week Mr. Hynes, after a long investigation by a unit that he created to look into questionable convictions, plans to ask a state judge to release the prisoner. Mr. Ranta’s lawyer, Pierre Sussman, who conducted his own inquiry, said his client has been instructed to pack up his cell.

Mr. Ranta could walk free as early as Thursday. In the decades since a jury convicted him of murder, nearly every piece of evidence in this case has fallen away. A key witness told The New York Times that a detective instructed him to select Mr. Ranta in the lineup. A convicted rapist told the district attorney that he falsely implicated Mr. Ranta in hopes of cutting a deal for himself. A woman has signed an affidavit saying she too lied about Mr. Ranta’s involvement.

Detective Scarcella and his partner, Stephen Chmil, according to investigators and legal documents, broke rule after rule. They kept few written records, coached a witness and took Mr. Ranta’s confession under what a judge described as highly dubious circumstances. They allowed two dangerous criminals, an

investigator said, to leave jail, smoke crack cocaine and visit with prostitutes in exchange for incriminating Mr. Ranta.

At trial, prosecutors acknowledged the detectives had misbehaved but depicted them as likable scamps. Reached in retirement on Tuesday, Mr. Scarcella defended his work. "I never framed anyone in my life," he said.

No physical evidence ever connected Mr. Ranta to the murder.

He now sits in a cell at a maximum-security prison outside Buffalo. He is a touch shy; his gray hair is fast thinning. His voice still carries the slantwise intonations of working-class south Brooklyn. Asked how he survived, he said he was not sure he had.

"I'd lie there in the cell at night and I think: I'm the only one in the world who knows I'm innocent," he said. "I came in here as a 30-something with kids, a mother who was alive. This case killed my whole life."

## **A Guilty Verdict**

It began with a fumbled robbery on Feb. 8, 1990.

Chaim Weinberger, a courier for Pan American Diamond Corporation, left his apartment in a public housing tower in Williamsburg, pulling a 50-pound suitcase filled with diamonds and precious gems. He had to catch a 7 a.m. flight to the Dominican Republic, where his cargo would be cut into jewelry.

His trips were predictable and easily timed; he worried about robbery. In the lobby, he saw a tall, blond, strikingly handsome guy, "like a lifeguard on the beach," Mr. Weinberger said. They stared at each other.

The blond man walked downstairs.

As Mr. Weinberger hurried beneath towering sycamores to the street, he saw the man trailing him. He tossed the suitcase into the trunk and started his engine. The blond man strode quickly now, covering his face with a handkerchief and pulling out a silver gun.

Mr. Weinberger put the car into reverse and knocked the gunman into a trash heap. He sped away, his door flapping open. He did not stop until he got to the airport, he recalled in an interview.

Tragedy unfolded behind him. The robber, unnerved, spotted Rabbi Werzberger warming up his blue 1985 Oldsmobile Cutlass Supreme before driving to a synagogue. He ran over, fired a shot, pulled out the mortally wounded rabbi and drove off in his car.

This murder tore at the heart of the then-25,000-strong Satmar community. Rabbi Werzberger was their shamas and adviser to the grand rebbe. The Satmar, the intensely devout, politically powerful ultra-Orthodox sect, demanded that the police find his killer. Rabbi Leib Glantz became their point man.

Rabbi Glantz rounded up witnesses, brought them to the precinct and translated from Yiddish as detectives

conducted interviews.

Detectives worked furiously, calling in paroled felons and miscreants of many varieties for questioning. An anonymous caller suggested that the police talk to Joseph Astin, an experienced holdup man who was tall and blond, with rugged good looks. But on April 2, Mr. Astin crashed his car in a police chase and died.

In late April, Detective Scarcella went to jail and visited Dmitry Drikman, a mustachioed bull of a man with a perpetual glower. Mr. Drikman was being held for several robberies, and had in the past been convicted of a horrific rape.

Mr. Drikman, in hopes of obtaining a shorter sentence, proved talkative. He gave Detective Scarcella the name of his friend, Alan Bloom.

Mr. Bloom, a crack-cocaine addict, had been convicted of dozens of robberies and faced a potential century in prison. He decided to start talking.

The detectives placed Mr. Bloom and Mr. Drikman in the same section of the jail, so they could continue their conversation. Soon they had their story: Mr. Bloom had had a hand in the robbery, but an acquaintance, David Ranta, a small-time thief and drug user, was the gunman. And Mr. Drikman's girlfriend told detectives she had seen Mr. Ranta and Mr. Bloom planning to cover up the crime.

District Attorney Hynes shook hands with Mr. Bloom shortly before prosecutors gave him immunity from prosecution in the murder case and greatly reduced his sentence for other crimes.

On Aug. 13, Detectives Scarcella and Chmil found Mr. Ranta on 73rd Street in Bensonhurst. They handcuffed him and drove to the 90th Precinct in Williamsburg.

Detective Scarcella testified at Mr. Ranta's trial that, 26 hours later, he sat on a bench in a crowded office and listened as Mr. Ranta, with little or no sleep, gave a long, rambling confession.

The detective said he did not have to ask Mr. Ranta a single question. "He flowed, and I took it all down, verbatim," the detective testified.

Asked why he did not question the suspect, Detective Scarcella was nonchalant.

"That's not my style," he replied.

The case was laden with inconsistencies. Mr. Weinberger had stared the gunman in the face and testified during the trial that Mr. Ranta was "100 percent not" that person. In fact, four of the five witnesses in the first lineup did not identify Mr. Ranta.

In the end, however, the jury pronounced Mr. Ranta guilty.

Before his sentencing, Mr. Ranta addressed the court. He spoke of corrupt police officers and those who testified against him.



“Now you people do what you got to do because I feel this is all a total frame setup,” he told the court. “When I come down on my appeal, I hope to God he brings out the truth because a lot of people are going to be ashamed of themselves.”

## **Behind the Scenes**

During the trial, Detective Scarcella proved to be an entertaining witness. A son of Bensonhurst, a professed old-school detective, he talked about how to make a suspect talk and where to buy the best pizza (New Haven, he advised). But his description of his investigation angered the judge, Francis X. Egitto.

Asked why he took prisoners out of jail to eat at restaurants and visit felonious friends, Detective Scarcella replied, “I do what I want to do with my prisoners.”

“They’re not your prisoners,” Justice Egitto responded.

The detective testified that while interviewing Mr. Bloom and Mr. Drikman, he never wrote a single note, as required by police procedure. Nor did he show witnesses photographs of Mr. Drikman or Mr. Bloom, although they were murder suspects.

The judge in particular questioned how Detective Scarcella obtained Mr. Ranta’s confession, asking why a veteran detective did not take Mr. Ranta to an interview room, where he could have tape-recorded it. Detective Scarcella said he transcribed the 658-word confession by hand.

Mr. Ranta has insisted he confessed to nothing. He passed a polygraph test in which he was asked if he shot the rabbi.

Midway through the trial, the judge spoke to the lawyers of his mistrust of these detectives. They are playing games, he said. They have “taken it upon themselves to be judge, jury and partial executioner.”

Yet, when he instructed the jury on what to consider during deliberation, he mentioned none of his concerns.

Four years later, new doubts arose. In 1996, Theresa Astin testified that her husband, Mr. Astin, who had died in that car wreck in April 1990, had murdered the rabbi. She knew details of the killing that only someone close to it would. Mr. Ranta’s defense lawyer, Michael Baum, filed a court motion.

Ms. Astin turned out to be a complicated witness.

In the early 1980s, she was the girlfriend of Joe Sullivan, a freelance hit-man known as Mad Dog who killed at least 11 men.

Afterward, she married and settled down in the Gravesend neighborhood with Mr. Astin, a mechanic with a cocaine problem and a tendency to pull armed robberies.

Snarled though her personal life was, Ms. Astin told a compelling tale: Her husband had planned a

robbery, and he came home shaking and nearly in tears on the day the rabbi was shot. Later she found him in the bathroom, dismantling a pistol.

“He said, ‘I hurt someone, something happened,’ ” Ms. Astin testified. “He was crying, he was scared.”

“ ‘You’re in trouble, Joe. It’s like you killed a priest in our religion,’ ” she warned him. Justice Egitto handled the court hearing. Again he wrote of troubling facts — and refused to toss the verdict.

Mr. Ranta feared he had exhausted every option for appeal. “I figured I was going to die in prison,” he recalled.

### **Case Falls Apart**

Every Christmas, Mr. Baum received a Christmas card from Mr. Ranta. “I never had any doubt in my mind he was innocent,” Mr. Baum said in an interview. “I sleep with it every night.”

Sixteen months ago, the district attorney, promoting his newly established Conviction Integrity Unit, gave a talk to the public defenders. Does anyone, he asked, know of cases that should be re-examined?

Mr. Baum raised his hand.

In the Bronx, Pierre Sussman, a defense lawyer hunting for evidence of police misconduct, noticed that Detective Scarcella’s name showed up in several troubled cases. He did a computer search, discovered Mr. Ranta’s name and visited him in prison, where he agreed to take on his case.

Soon the last vestiges of evidence fell away. A man who was 13 at the time of the murder, Menachem Lieberman, testified back then that he had seen Mr. Ranta sitting in a car near the murder site.

Now, reached at his home in Montreal, Mr. Lieberman said the case had nagged at him for years. “Before I entered the” lineup room, he told investigators, “a police detective told me to ‘pick the guy with big nose.’ ”

He picked Mr. Ranta, he said, “because he had the biggest nose.”

And Mr. Drikman’s girlfriend, Elizabeth Cruz, also abandoned her story and apologized. “I made up everything,” she said in an affidavit, in hopes of gaining a deal for her boyfriend.

Mr. Drikman also stated that he fabricated his account, and that detectives and Mr. Bloom “framed” Mr. Ranta.

The case against Mr. Ranta had come undone.

“What’s important to me is that this fellow should not be in prison one day longer,” Mr. Hynes said in a telephone interview on Tuesday.

All that remains is for Mr. Ranta, now 58, to feel the shackles taken off his hands and legs and stand before

**a State Supreme Court judge.**

**“I’ve lived years in a cage, stripped down, humiliated,” he said. “I’ll be able to touch people again, to make decisions.”**

**He took a great gulp of air. “To be honest, what’s ahead scares me.”**