

Plea Bargain Urged in Rivera Case

By Peg Tyre
STAFF WRITER

Amid discussion of a plea-bargain, the prosecution and defense rested yesterday in the case of a man who was killed in a Jackson Heights schoolyard, allegedly because he was gay.

The two defendants, Erik Brown, 21, and Esat Bici, 19, of Elmhurst, Queens, are charged with second-degree murder in the death of Julio Rivera. A third man, Daniel Doyle, 21, who admitted to fatally stabbing Rivera, pleaded guilty to manslaughter and became the star witness for the prosecution.

Prosecutors say the three lured Rivera into the schoolyard, beat him with a hammer, wrench and beer bottle and then stabbed him.

After testimony ended, Judge Ralph Sherman asked Assistant District Attorney Daniel McCarthy, Bici's lawyer, Paul Vladimir, and Bici's lawyer, Barry Rhodes, to consider a plea bargain.

The prosecution originally offered

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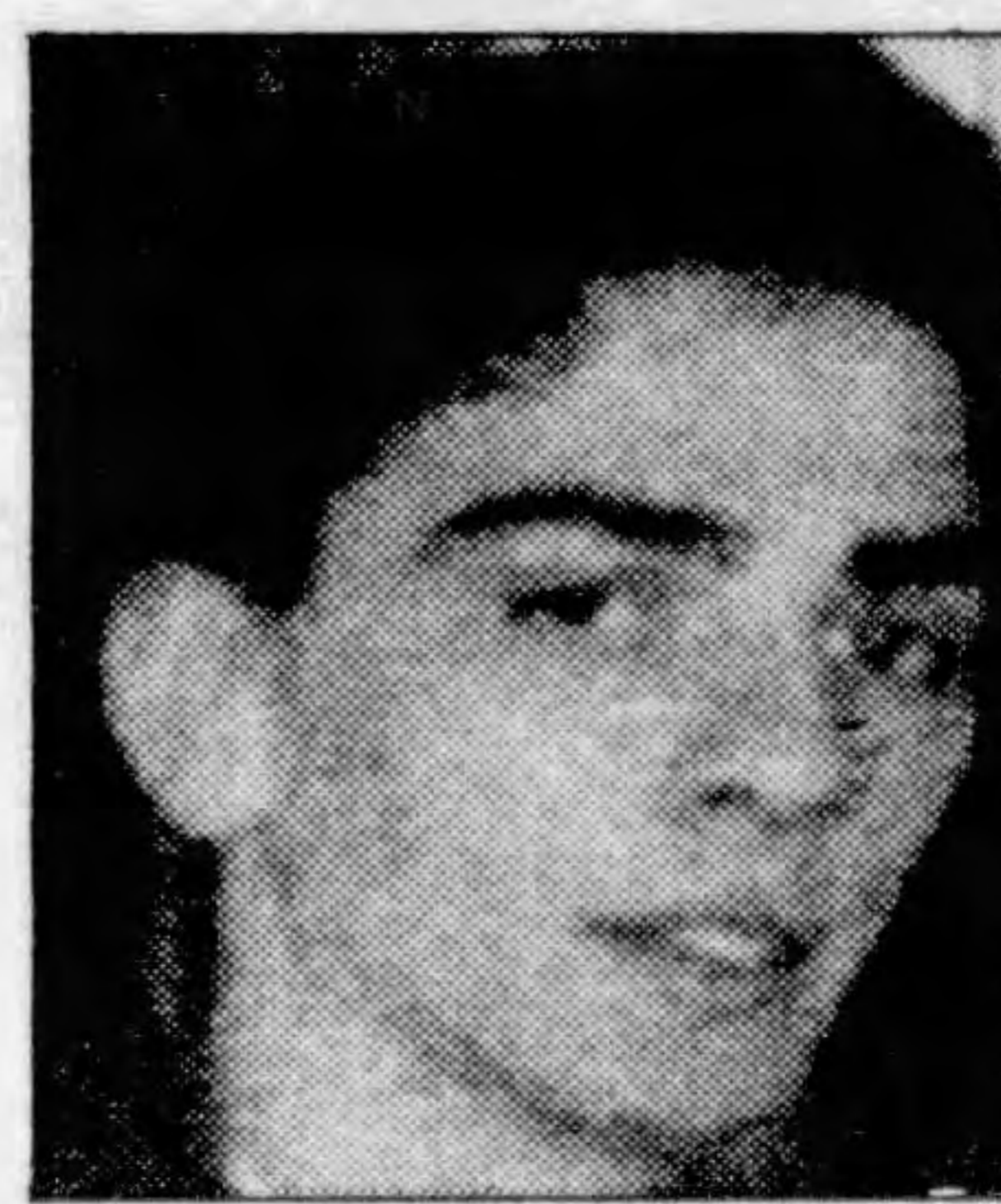
plea bargains to the two defendants before the trial, but their lawyers declined because the prison sentences were too long.

"All parties agreed to discuss it," Sherman said yesterday evening. "If they can agree, they can do what is best for all sides concerned."

Sherman said he believes that if a plea bargain agreement can be reached, it will be done today.

Yesterday, Rhodes, whose client has been most strongly implicated in the slaying, would not comment on a possible plea bargain and said he felt "confident" that Bici would be acquitted.

Harold Harrison, Brown's co-counsel, said he could not comment on a plea for Brown, but did not rule out the possibility. "Nobody has offered me anything yet," he said.



Newsday / Alan Raia
Esat Bici



Newsday / Viorel Florescu
Erik Brown



Photo by Rick Sygma
Daniel Doyle

Last night, Rivera's family and friends met with the prosecutor to discuss a possible agreement.

Earlier in the day, Dr. Charles Hirsch, the city's chief medical examiner, displayed autopsy photographs of Rivera and described the fatal stab wounds.

"From what you observed, can you describe the minimum number of in-

struments used to inflict these injuries?" McCarthy asked.

"It is my opinion that three types of instruments were involved," said Hirsch, who then described how the imprint of a hammer, knife blade and wrench could be seen on Rivera's body.

Woodhull, Doctors' Union OK Contract

By Kevin McCoy
STAFF WRITER

Senior doctors at Woodhull Medical and Mental Health Center and the corporation that runs the city hospital last night reached a tentative settlement that is expected to end an unprecedented strike.

Representatives of the striking Doctors Council and Medical Associates of Woodhull signed a tentative one-year contract that includes a 1.5 percent salary increase for the more than 300 senior doctors at Woodhull, Brooklyn's second-largest hospital. The agreement, retroactive to June 30, sets the stage for the two-day walkout to end today.

The \$1.2-million settlement also includes funding to restore the orthopedic service that was canceled at Woodhull two months ago, and calls for creation of a five-member committee of doctors, corporation members and a community adviser to "review all fiscal issues affecting staffing and patient care matters."

"We have got a contract that meets the economic needs of the doctors and the health care needs of the people of this community," said Dr. Barry Liebowitz, president of the Doctors Council.

Members of the Doctors Council negotiating committee met last night and ratified the agreement by a vote of 6 to 3. The contract will be presented to the full union membership for final ratification today.

After last night's vote, attempts were being made to get striking doctors back to work on



Protesters demonstrate in support of Woodhull's striking doctors.

the midnight shift.

Earlier, members of two other hospital unions, in sympathy with the 343 striking physicians, staged a rally designed to pressure the corporation to reach a settlement.

During the rally, James Butler, president of hospital workers union Local 420, voiced solidarity with the striking doctors and criticized Mayor David N. Dinkins. "If I were the mayor of New York City, I would not be in South Africa. I would be here at City Hall negotiating an end to this strike," said Butler, whose union endorsed Dinkins' 1989 election campaign.

From South Africa, Mayor David Dinkins sent word that he approved of the resolution.

"I am pleased that Woodhull Hospital can now go back to attending to its primary mission: providing first-rate health care to its patients," the mayor said in a statement.

Meanwhile, Woodhull continued to run at about 40 percent of capacity. Hospital spokeswoman Maria Reyes said the patient

census yesterday was 314, reduced from 559 last week as the hospital braced for the strike. Reyes said Woodhull's 36 physician department chiefs and approximately 100 doctors in training provided care to the remaining patients.

Clinics at the hospital, which serves Williamsburg and Fort Greene, remained closed, and ambulances continued to be diverted to other hospitals. "We're dealing with the strike pretty well so far, but we're hoping for a settlement pretty soon," said Reyes.

Money was the main issue dividing the 343 striking doctors and the hospital. The doctors, working without a contract since June, had sought wage hikes of 3.5 percent and 4.5 percent over two years. Dr. Donald Meyer, executive director of the Doctors Council, said Woodhull physicians earn about \$65,000 annually, less than their counterparts at other city hospitals.

Gale Scott contributed to this story.

Ex-Mobster Charged In Check Fraud

By Pete Bowles
and Robert W. Greene

STAFF WRITERS

Michael Franzese, a flamboyant one-time Colombo crime family captain from New York, was arrested yesterday in Los Angeles on parole violation charges and was ordered returned under guard to Brooklyn to answer the allegations.

Franzese, 40, who has been living in a \$2.7 million Southern California mansion since his release from prison in 1989, was charged with bank fraud, grand theft and other offenses, said Ann Driscoll, a spokeswoman for Andrew Maloney, the U.S. attorney in Brooklyn.

At a hearing before a federal magistrate in Los Angeles, Franzese, whose book "Quitting the Mob" is due out in January, was remanded to custody pending his return to Brooklyn.

Driscoll said Franzese violated the terms of his 5-year parole by committing bank fraud in obtaining personal loans with phony collateral and by making false statements to government officials. She also said the law-enforcement authorities in Los Angeles had also charged him with grand theft for allegedly giving bad checks for rents and lease payments.

Some of the fraud charges date back to early 1990, soon after he was released from prison, sources said. They said he was acting as a broker, setting up companies to finance a number of business ventures and that he lied to bank officials in obtaining a \$50,000 line of credit.

Franzese was released from prison in May, 1989, after serving 3½ years of a 10-year term on a 1986 racketeering and conspiracy conviction in Brooklyn federal court. If found guilty of violating parole, he would have to return to prison for five years.

In return for his release, Franzese agreed to pay \$14.7 million in fines and to tell authorities everything he knew about mob activities and associates. But authorities complained they got little from him. Sources said he had recently begun cooperating with law enforcement officials in Nassau and Suffolk Counties.



File Photo
Michael Franzese