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HACKENSACK FAMILY TORN AS DAD FACES DEPORTATION BRUSHES WITH THE LAW RUIN AMERICAN DREAM

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█████ came to the United States 27 years ago to build a better life than the one he knew in his native Italy. He toiled ceaselessly to build a successful concrete business in Hackensack and came to love his adopted land. Now, however, he is sitting in a jail cell in Louisiana awaiting deportation.

█████ who never applied for U.S. citizenship, must be removed because he was convicted of resisting arrest in 1986 and of attempting to bribe a game warden in 1996, the U.S. Immigration and Naturalization Service says.

Immigration officials say they must send █████, 57, back to Italy because he was convicted of a "crime of moral turpitude." They are applying a tough law that took effect in February 1997 requiring the removal of any alien convicted at any time of a crime such as murder, rape, or other "aggravated felonies."

█████, who is scheduled to appear Thursday before an immigration judge in Oakdale, La., is devastated by having to pay for what his family says are relatively minor crimes he committed before the law was in place.

"My dad is extremely depressed," said one of his two sons, █████ █████. "He loves this country, and he doesn't want to leave. He strongly believes that it's not correct for there to be no differentiation between a terrorist and a guy who was resisting arrest."

Family members say █████ has a quick temper, which got him into trouble with the Hackensack police in 1986.

■ was driving an all-terrain vehicle around his city block without a license plate when an officer followed him into the driveway and asked for his papers, his son said. A dispute followed, leading to a series of charges, including aggravated assault, possession of a weapon, and criminal mischief.

Saying that the officer's actions contributed to the conflict, a Superior Court jury in Bergen County convicted ■ only of resisting arrest. The judge imposed a five-year probationary sentence and fined him \$2,500, records show.

Ten years later, ■ was cited by a New York State game warden for hunting deer one day before the season started, said his attorney, **Michael Beatrice.** The warden tried to confiscate ■ rifle, and ■ said he offered to pay the citation on the spot, Beatrice said.

The warden took the offer as a bribe attempt, Beatrice said, and ■ later pleaded guilty to attempted bribery in State Supreme Court in Rockland County. ■ got a five-year probationary sentence and a \$2,500 fine, the lawyer said.

Based on the two convictions, INS officials arrested ■ in February at Newark International Airport as he returned from a monthlong trip to his hometown of Villa Marcone, near the Adriatic Sea.

"My dad didn't have a clue," ■ said. "Otherwise, he wouldn't have gone to Italy."

■ was detained at the Hudson County Jail for several days before immigration officials moved him to the Oakdale Federal Detention Center.

■ immigration attorney, Robert Frank, said immigration judges have no discretion in applying the law to those convicted of aggravated felonies, but he said they have such power over crimes involving moral turpitude.

"Clearly, Mr. ■ is not a danger to the community," said Frank, chairman of the state chapter of the American Immigration Lawyers Association. "The crimes were relatively minor, and he never received any jail time."

INS officials would not comment on ■ case Tuesday.

One of 10 children, ■ grew up poor in Italy and completed only the third grade, said his son. ■ worked in a family vineyard and in German factories before deciding in 1972 to move his family to live with an uncle in Hackensack. He worked as a laborer for several years at a Hackensack concrete company, and pursued side jobs on weekends.

In 1980, he and his sons formed a company that eventually became ■. The company, which works for municipalities and contractors in New Jersey and New York, has

40 employees and posted sales of \$7 million last year.

"It took a lot of hard work to get the company started - a lot of sweat and a lot of time," said [REDACTED].

[REDACTED] wife and two sons became American citizens, but he always said he never had the time, family members said. Had he done so, they lamented, he would not be facing deportation.

"It didn't seem important at the time," [REDACTED] said. "In retrospect, it was a grave mistake."

The separation has been wrenching for [REDACTED] wife of 37 years, [REDACTED], who goes to church twice a day to pray for her husband's release. "It's not fair," she said, sobbing. "America is making too much of this."

Normally robust and happy, [REDACTED] is not faring well in his cell in Oakdale, which is typically the last stop for aliens facing deportation.

"I keep telling him, 'Pa, have faith and stay strong,'" said [REDACTED], who is flying to Louisiana for Thursday's hearing. "But he says the attitude of the INS at this point is they want to deport everyone."

"I never heard him cry in 30 years, but now I can hear it in his voice. He's not letting it out."

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