

# Prosecutors struggling to bring race beating case to trial

**Special to Sentinel-Voice**

CHICAGO — When three young white men were accused of beating a black 13-year-old who had ventured into a mostly white neighborhood, the outlines of the case seemed clear. Even President Clinton spoke of a "savagely, senseless assault driven by nothing but hate."

Sixteen months later, though, prosecutors are struggling simply to bring the case to trial.

One key witness is dead and another is the target of a nationwide manhunt. The trial has been delayed twice, and Illinois' speedy-trial law presents prosecutors with a looming deadline to bring the defendants to trial or turn them loose.

While city leaders from Mayor Richard M. Daley on down insist the prosecution will go forward, some black leaders are afraid the politically and racially charged case is falling apart.

"I think there's a little bit of apprehension in terms of the witness not being available and his whereabouts not being known," said Rep. Danny Davis, D-Ill.

At the center of the case is a boy who was apparently looking for a basketball game and instead became a symbol. Lenard Clark rode his bicycle across a racial dividing line on March 21, 1997, traveling from his home in an all-black housing project into the adjacent, mostly white Bridgeport neighborhood near Comiskey Park.

There he was beaten, allegedly by Frank Caruso, 19; Michael Kwidzinski, 21; and Victor Jasas, 18, all Bridgeport residents. Police said Clark was attacked because he is black. All three defendants were charged with attempted murder, aggravated battery and hate crimes.

## Profile of blacks helping blacks

The National Minority Supplier Development Council is one of the best links between Corporate America and minority-owned businesses.

Chartered in 1972, the NMSDC Network includes 43 Regional Councils and 3,500 corporate members throughout the network that want to purchase goods and services.

NMSDC Regional Councils currently certify and match more than 15,000 minority-owned businesses with member corporations.

The NMSDC reports, "the leader in buying goods and services from minority business enterprises (MBEs) last year was the auto industry."

Automakers purchased \$5 billion from MBEs.

Each of them could get up to 41 years in prison if convicted on all charges.

Clark recovered from the beating but cannot remember it. So prosecutors expected to rely in large part on the testimony of Richard DeSantis, 19, who is believed to have seen the attack.

But DeSantis' family moved from Chicago to Scottsdale, Ariz., and DeSantis himself has been missing for months, forcing two delays in a trial that was scheduled to begin in April. Police and FBI

agents are looking for him.

Another witness, Michael Cutler, was fatally shot in May in what police said was a gang-related robbery attempt unrelated to the Clark case.

The trial is now scheduled to begin Aug. 7. At that point, state law would allow Cook County State's Attorney Richard Devine to request a further delay of only 60 days.

Devine expects to bring the case to trial even if DeSantis is not found, spokesman Bob Benjamin said. "We think we have a case that we can take to

court, with or without this witness," he said.

The case became more complex last week when the *Chicago Sun-Times* quoted unidentified law enforcement officials as saying that the fathers of both witness DeSantis and defendant Caruso were associated with organized crime.

Chicago Crime Commission executive director Thomas Kirkpatrick pointed to a report published by the commission last year listing Caruso's father, also named Frank Caruso, as a

labor-union associate of the Chicago mob.

Caruso is an official of the Laborers' union, described by the Justice Department as a mob-dominated group. But Kirkpatrick also noted that Caruso was not among those ousted in a recent housecleaning designed to rid the Chicago Laborers council of mob influence.

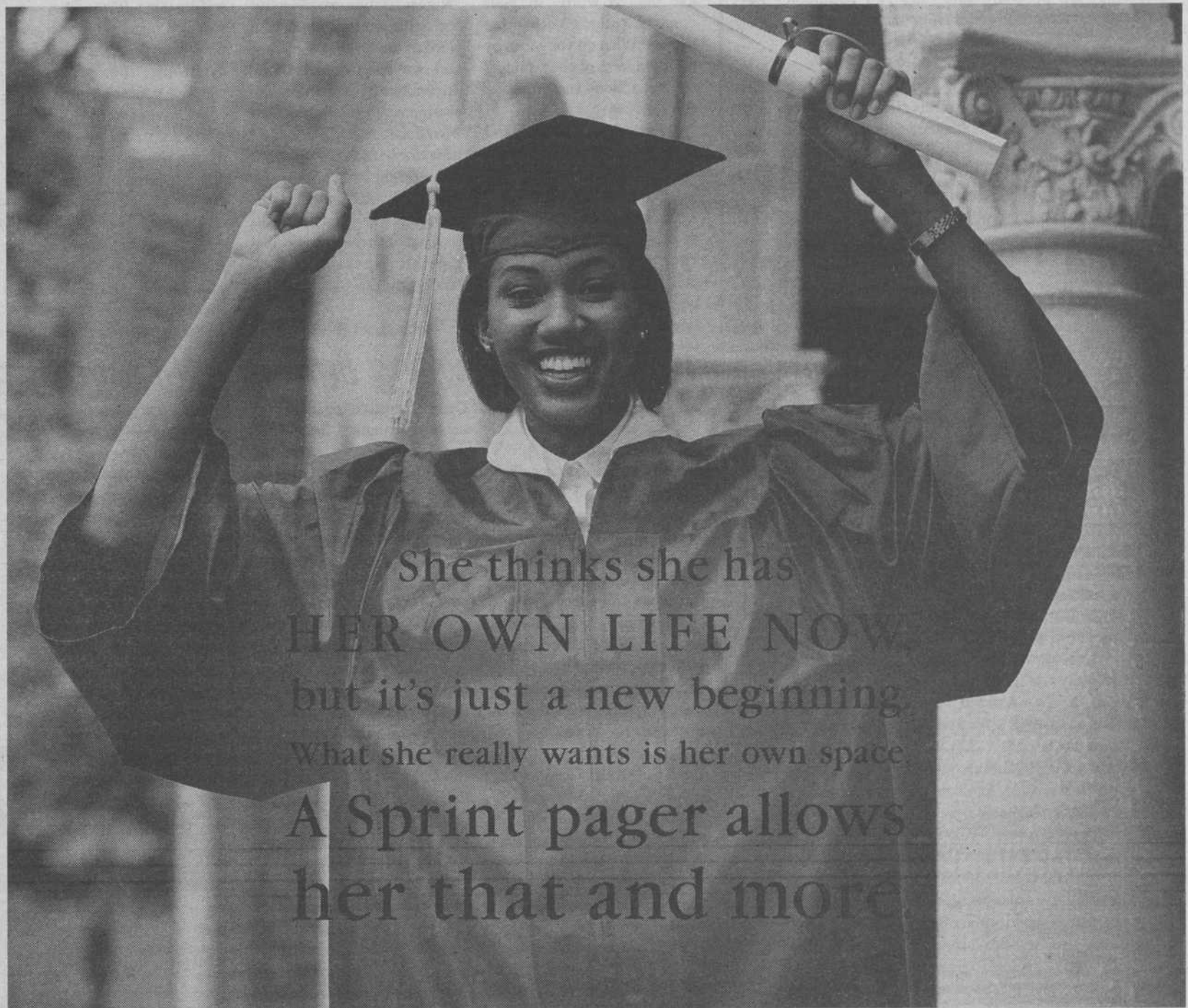
Caruso defense attorney Ed Gensen would not comment on the case or on the allegations concerning the elder Caruso.

The *Sun-Times* described

DeSantis' father, also named Richard DeSantis, as being involved in organized crime as well. It noted that the elder DeSantis was convicted of gambling crimes six years ago.

A Scottsdale phone number for the elder DeSantis was disconnected at week's end. The *Sun-Times* reported that he was reached at his home there and had no comment.

Davis said that despite black community concern about the future of the case, he believes it will go to trial and that Devine will put forward a strong case.



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