

Beating Suit a Free-Speech Issue

By Robert E. Kessler

STAFF WRITER

In filing a \$66-million civil rights lawsuit against the two men charged in the beating of two Farmingville Mexican day laborers last year and seven organizations opposed to illegal immigration, attorneys said Friday they are not attempting to stifle the groups' constitutional right to free speech.

Frederick Brewington of Hempstead, who represents laborers Israel Perez and Magdaleno Estrada Escamilla, said the organizations went beyond the legal bounds of free speech.

"They are lighting a match in a room filled with gasoline," Brewington said. "They know well what they are doing. They've got to be held responsible."

In addition to the monetary damages, the lawsuit, also filed as a class-action on behalf of all Latino laborers, asks that the individuals and the organizations be enjoined from harassing or assaulting Latino day laborers and that a notice of such a court order be posted at meetings of the organizations.

Filed on Sept. 17 in U.S. District Court in Central Islip, the lawsuit was modeled after several successful lawsuits against chapters of the Ku Klux Klan, which aimed to bankrupt the organizations and prevent their activities, attorneys for the laborers said.

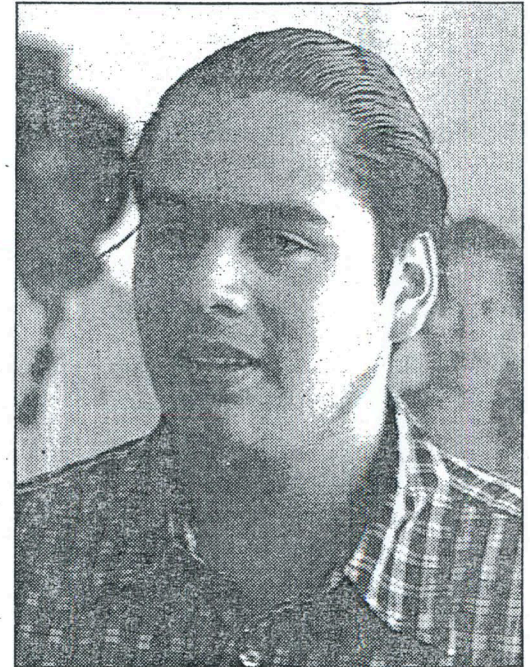
One of the attorneys, Randolph McLaughlin, who in a similar lawsuit broke up the Klan in the Chattanooga, Tenn., area, acknowledged that the current suit did not detail how the seven organizations contributed to beatings of the day laborers. But he and



Newsday Photo / Don Jacobsen



Frederick Brewington, above, is representing Magdaleno Estrada Escamilla, left, and Israel Perez, right, in a \$66-million civil rights suit against the two men charged in their beating and other groups.



AP Photo

Brewington said they have enough information to establish a connection and that more information would be gathered during pre-trial hearings.

The leader of one of the groups named as defendants, the Rev. Matt Hale of the World Church of the Creator in Illinois, said Friday that the suit "was a joke." Hale, who has been denied a license to practice law in Illinois because of his racist views, said, "I don't know the people" involved in the attack and said that he never counseled anyone to beat the laborers, so there is no legal way he could be found negligent.

Ryan Wagner, 20, of Maspeth, and Christopher Slavin, 29, of Huntington, have been charged in the beating. Slavin was convicted of attempted murder

and assault, and Wagner is awaiting trial. Lawyers for the two have said their clients are not guilty of any racial animosity.

Spokesmen for two of the other groups named in the lawsuit, Sachem Quality of Life and the American Patrol, also have denied that their organizations attempted to cause physical harm to immigrants and said they were merely trying to get the government to enforce the laws barring illegal immigration.

The other groups involved in the suit include the Posse Comitatus and the Sheriff's Posse Comitatus based in Ulysses, Pa., the National Alliance in Hillsboro, Va., and the Creativity Movement in East Peoria, Ill.