

Lawsuit by Day Laborers Seeks To Tie Attackers to Hate Groups

By ELISSA GOOTMAN

MINEOLA, N.Y., Sept. 28 — A year after two Mexican day laborers were violently attacked by two men posing as employers, lawyers for the victims have filed a class-action civil rights lawsuit on their behalf.

The suit, filed in United States District Court in Brooklyn on Sept. 17, names the two men charged in the attack as well as several groups that it claims gave the men "material and ideological" support, promoting "hatred and intolerance against immigrants and day laborers."

One man accused in last year's attack, Christopher Slavin, was convicted last month in Suffolk County Court on all counts he faced and is to be sentenced on Thursday. Mr. Slavin's co-defendant, Ryan D. Wagner, is scheduled to go to trial Nov. 14. Lawyers for both men did not return telephone calls seeking comment.

Mr. Slavin and Mr. Wagner were charged with luring the victims, Israel Perez Arvizu and Magdaleno Estrada Escamilla, to an abandoned building in Shirley with the promise of work, then viciously attacking them with heavy tools and a knife.

"This lawsuit is one that will stand to speak loudly and clearly to individuals who would perpetuate violence as an answer to being lawful," Frederick K. Brewington, the Hempstead lawyer who filed the suit, said at a news conference today.

The organizations named in the

suit include three white supremacist groups — the Sheriff's Posse Comitatus, the Creativity Movement and the National Alliance — and American Patrol, an anti-immigration group based in California. The suit also names the Schem Quality of Life Organization, a local group opposing illegal immigration that is based in Farmingville, where Mr. Perez and Mr. Estrada lived last September (they have since returned to Mexico) and where many Mexican day laborers continue to live.

Ray Wysolmierski, a Schem spokesman, said he believed the suit was intended "to stifle our free speech, our First Amendment right." He said his group had no connection to Mr. Slavin or Mr. Wagner.

Representatives of the other organizations said that Mr. Slavin and Mr. Wagner were not members, that the groups did not encourage violence and that they had nothing to do with the attack.

But Mr. Brewington, the lawyer for the day laborers, said he would search for evidence that the groups created "an atmosphere by which the lives and well-being of Mexican day laborers are jeopardized."

It will be a difficult task, said Randolph M. McLaughlin, the director of the Social Justice Center at the Pace University School of Law, who will serve as co-counsel.

"Do we have a lot of digging to do? Sure," he said.