

The New York Times

THURSDAY, AUGUST 29, 2002

Councilman in Bribery Case Resigns on Eve of Guilty Plea

By MICHAEL COOPER

City Councilman Angel Rodriguez of Brooklyn resigned his post yesterday as he prepared to plead guilty to federal charges that he took bribes in exchange for throwing his support behind a supermarket project in Red Hook that he had once opposed.

Mr. Rodriguez, who was a serious contender to become speaker of the City Council earlier this year, now faces 46 to 57 months in prison under the terms of the plea deal, lawyers who have seen details of the agreement said yesterday. He plans to plead guilty this afternoon in Federal District Court in Brooklyn, the lawyers said.

"While I did nothing to compromise my constituents, nor the Council, I did commit an inappropriate act, which violated the law," Mr. Rodriguez wrote in his letter of resignation yesterday, which took effect immediately.

Council officials say they believe that the last Council member to plead guilty to criminal charges related to his job was Rafael Castaneira-Colon, who pleaded guilty in 1994 to stealing \$383,000 in public money by putting phantom employees on his Council payroll. He had left office before making the plea.

Mr. Rodriguez was indicted in March on charges that he got a sweetheart real estate deal worth \$1.5 million from a Brooklyn developer, along with \$50,000 in cash, in exchange for changing his position and supporting the construction of a Fairway supermarket in a Civil War-era warehouse on the Red Hook waterfront.

The developer, a retired police detective



Angel Rodriguez

named Gregory O'Connell, reported Mr. Rodriguez to law enforcement officials, and the developer then surreptitiously recorded several conversations he had with the councilman, leading to his arrest and indictment.

The resignation of Mr. Rodriguez, a Democrat, is expected to touch off a fiercely fought special election to fill his seat. His district includes many neighborhoods in southwest Brooklyn, including parts of Boerum Hill, Red Hook, Windsor Terrace and

Sunset Park.

Until recently Mr. Rodriguez had steadfastly maintained his innocence. In April, he told the City Council, "I believe in my heart that I am innocent and I will be vindicated by a jury of my peers," and promised to tell his side of the story in court.

But Federal prosecutors said that they had built a very strong case against Mr. Rodriguez. One of Mr. Rodriguez's lawyers, Joseph Tacopina, wrote a letter to the court on Aug. 15 asking to postpone a court date "so that we may continue furthering our discussions." Those discussions eventually yielded a plea-bargain agreement.

Another of Mr. Rodriguez's lawyers, Ronald P. Fischetti, said that Mr. Rodriguez wanted to spare his friends and relatives the stress of a trial. "He's pleading guilty because he's acknowledging his wrongdoing and doesn't want to put his family or his friends through the stress of a trial," Mr. Fischetti said. "But at no time did his action, although criminal, compromise or harm his constituents." Under the terms of

Continued on Page B2

Councilman Quits On Eve of Plea

Continued From Page B1

the agreement, Mr. Rodriguez's lawyers can ask the judge for a more lenient sentence than the guidelines call for.

The indictment charged that Mr. Rodriguez publicly changed his position on the development plan at a hearing of the Council's land use committee on Jan. 29, one day after he and a friend, Jonathan Morales, signed a deal through a front company to buy for only \$1 million three properties in Cobble Hill that were actually worth \$2.5 million — reaping what the indictment called “a secret benefit of \$1.5 million.”

Gifford Miller, who beat out Mr. Rodriguez for the post of speaker of the City Council earlier this year, said in a statement yesterday: “This entire affair has been a source of great sadness for me and all New

Yorkers. However, I am pleased that the justice system has resolved this situation in a swift and thorough manner.”

At a news conference earlier, Mr. Miller said that the supermarket project would have been approved by the Council anyway.

“That particular application was going to go forward with or without Councilman Rodriguez's support because it was the right thing to do,” he said.

Mr. Rodriguez's arrest in March led some to question whether the City Council has too much power over land use decisions. Mr. Rodriguez sought to address the point in his letter of resignation.

“For the record, it was not the institution that failed, as was alleged by news media reports when the situation first became public in March,” he wrote. “It was I who failed the institution.”