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2d Trial in Killing of Officer Ends With Acquittal

By SUSAN SACHS

JERSEY CITY, July 27 — Vincent James Landano, who paid dearly for a crime he steadfastly denied committing for 22 years, won the battle of his life today when a jury here acquitted him in his second trial for the 1976 murder of a Newark police officer.

Mr. Landano had served 13 years of a life sentence for the killing, was freed after a judge ruled the state had suppressed evidence at the first trial and lived for 9 more years under constant law-enforcement surveillance as prosecutors continued to pursue him.

Along the way, he taught himself law and attracted a loyal following of people who believed that he was framed for the murder of Officer John Snow. Among them were a lawyer who devoted thousands of hours to his case for free and a sprightly woman who met him on a visit to prison and married him.

"All I ever asked was for 12 jurors to listen to the facts," said Mr. Landano after

the verdict, as he stood on the courthouse steps amid a crowd of jubilant supporters, including one woman who had served on the jury that initially convicted him and said she had regretted it ever since.

The conclusion of Mr. Landano's long roller-coaster ride through the justice system passed swiftly in comparison with his fight for vindication. The trial in Superior Court lasted three weeks. The jury of 10 women and 2 men deliberated just under five hours. When the forewoman softly pronounced the words "not guilty," the graying 58-year-old Mr. Landano thrust his fists in the air and shouted, "All right!"

An instant later, the trial judge, Shirley A. Tolentino, told him he was free to go.

Mr. Landano did not tarry. With his arms wrapped around his wife, Camille, he proclaimed his first worry-free plan. "Right now," he said, grinning, "all I want to do is get as far from this building as I can."

An assistant Hudson County prosecutor, Donald L. Gardner, said the Snow murder

would not be pursued further. "This matter, for all intents and purposes, is closed," he said.

He said he accomplished what he set out to do. "We reached a verdict which brings closure to this case," he said.

It did not bring closure to the family of the murdered officer, whose daughter, Kathleen Jensen, broke down and wept in the courtroom as the verdict was announced. She had said she remained convinced that Mr. Landano was her father's killer.

Mr. Landano was an unemployed construction worker with a heroin habit and a three-year stint in Attica state prison for grand larceny when he was charged with shooting Officer Snow in the neck during a robbery of the Hi-Way Check Cashing Service in Kearny, N.J., on Aug. 13, 1976.

At the time of his arrest, two other men were already in custody, both members of a motorcycle gang called "The Breed" that

Continued on Page B2



Cleared After Spending 13 Years in Prison

Vincent James Landano was acquitted yesterday in his second trial for a patrolman's murder. "All I want to do is get as far from this building as I can," he said outside court in Jersey City with his wife, Camille. Page B1

2d Trial in Killing of New Jersey Officer Ends With Acquittal

Continued From Page B1

specialized in armed robberies. They cooperated with the state, naming Mr. Landano not only as their accomplice in the robbery, but as the gunman. Officer Snow, who was on duty at the time, was in Kearny unofficially to deliver \$46,000 in cash to Hi-Way's management.

From the first, Mr. Landano protested his innocence. He said he had been set up by a childhood friend, Victor Forni, who was described by gang members as the one who planned their crimes.

Mr. Forni, in fact, was charged and pleaded guilty to conspiracy in the Hi-Way robbery. But that only happened later — after he lost a two-year battle against extradition from New York to New Jersey. In the

interim, his old friend Mr. Landano, who was not a gang member and who said he was not even in New Jersey at the time of the robbery, was tried, convicted and sent to jail.

In prison, he told his story to Neil Mullin, a lawyer from Montclair, who eventually became consumed with the Landano case, devoting countless unpaid hours and nearly 20 years to overturning the conviction. In 1989, Mr. Mullin convinced Judge H. Lee Sarokin of the Federal District Court in Newark that the state possessed undisclosed evidence.

In an unprecedented raid, Federal marshals, acting on Judge Sarokin's orders, scoured the files of police departments and the prosecutor's office for all information related to the Snow murder. Based on what was found, including evidence that some of the witnesses were pressured by the police to identify Mr. Landano as the gunman, the judge said the state had "systematically" withheld evidence, and he ordered Mr. Landano released from state prison.

The state fought back. The case ricocheted for another seven years through various courts. By then, however, Mr. Landano's fight to clear his name had acquired another foot soldier.

Andrea Lepore-Kaneko was a juror in the first murder trial in 1978. She said she went along reluctantly with the others in their guilty verdict. "I thought maybe they had understood things I didn't," she said.

But reading Judge Sarokin's decision 11 years later, Mrs. Lepore-Kaneko decided her courtroom mis-



Pool photo by Tom KILLS

Officer John Snow's daughter, Kathleen Jensen, and her husband, Donald, in court yesterday.

givings might have had some basis after all. She contacted Mr. Landano and followed him from hearing to hearing. She flew back from Osaka, Japan, where she now lives with her husband, for the second trial.

When the verdict was read, Mrs. Lepore-Kaneko began to weep and tremble. "So relieved! So relieved!" she gasped. "The intensity!"

In the second trial, the star witness was the one Breed gang member who agreed to testify again on behalf of the state — Allen Roller, who had been convicted of actually robbing the Hi-Way Check Cashing Service and served eight years in prison. Mr. Forni, whom the defense claimed framed Mr. Landano, was subpoe-

naed by the state and brought to Jersey City. He refused to testify and remains in the Hudson County Jail on contempt charges.

As he has before, Mr. Roller named Mr. Landano as the gunman. But on many other issues, he contradicted his earlier statements. Paul Casteleiro, Mr. Landano's trial lawyer, called him a "misfit" and a "liar."

Mr. Casteleiro, who called no witnesses for the defense, also sought to discredit the state's main piece of evidence, a blue denim hat splattered with Officer Snow's blood and found on the seat of the getaway car. The hat may well have been Mr. Landano's, he said, but it was stolen and planted in the car by the Breed gang as part of their carefully planned crime.

Mr. Gardner, the prosecutor, portrayed the Hi-Way Check Cashing robbers as a gang of bumblers who forgot to take a bag for the money and then got lost in their getaway car as they raced away from the scene. Framing Mr. Landano, he argued in his summation, was beyond their talents.

The jury, however, simply did not believe either the state's hat story or Mr. Roller.

"They kept pushing the hat, the hat, the hat," one of the jurors, Frieda J. Smith, said in a telephone interview after the verdict. "But that didn't make him the killer." There was also general agreement in the jury room, she said, that Mr. Roller lacked credibility.

"Everybody was thinking the same thing," Ms. Smith said. "There were a lot of 'ifs.'"