

Early Frustration

Although being arrested for a narcotic's charge is not intended to be a "rewarding" experience, it sometimes "paid" to be arrested by DEA in the early years. Before the mandatory Federal sentencing guidelines, Judges had great latitude which every so often left agents wondering how "wise" men, skilled in jurisprudence, could act so "foolishly."

On February 27, 1976, Oswald Crespo and Carmelo Rivera sold two (2) ounces of heroin to an informant acting under the control of New York DEA Special Agents. Surveillance during the transaction and subsequent investigation identified Crespo as Rivera's source of supply.

On March 8, 1976, Crespo and Rivera were arrested as they delivered eight (8) ounces of heroin to undercover agent Mike Mella. At the time of arrest, Crespo was in possession of a fully loaded .32 caliber revolver which he would have unquestionably used had he been given the chance.

During the processing after arrest and the arraignment proceedings the following day, Crespo continuously lied to his DEA captors, Assistant United States Attorney Dominick Amorosa, and U.S. Magistrate Sol Schreiber concerning his true identity and residence. However Crespo, despite his total lack of candor, was released on only \$15,000 bail.

On July 8, 1976, Crespo entered a plea of GUILTY to Count 1 of the indictment (conspiracy to distribute heroin) and Count IV (possession of a firearm during the commission of a felony) before U.S. District Judge Ward. And on August 31, 1976, Judge Ward suspended the improvisation of sentence on BOTH counts and placed Crespo on six (6) years probation pursuant to the than Youthful Offender Act (15 USC 1510).

The idea that had the twenty three (23) year old Crespo been brought to the New York State Court at 100 Centre Street, which was only ONE city block from the Manhattan Federal Court House (Southern District of New York), he would have faced a minimum of twenty five (25) years in prison, totally frustrated the members of New York's Group #22 who had risked their lives to apprehend him.