

December 12, 2003

This article was [originally written in Spanish](#), the below is its translation (11/2009/MR)

Dennis Calderon will return to Jail

This young man of Peruvian origin and his cousin, have gone through an agonizing judicial process in which serious charges of racial persecution have been made against them for being Hispanic.



Dennis Calderón is experiencing a poignant situation because while, by decision of the judge, he will be sharing with his wife and their small children the holiday season, he's dramatically expecting January 5 when he must return to prison. (David Cross photo / to update)

Dennis Calderon, 34 years, married with two small children, will return to jail where he had left two and a half years ago. Calderon and his cousin Julio Maldonado were processed for events that occurred in 1996 when they were attacked by a group of white teenagers. A year after this event, Christopher Saladino died, who was part of the group who attacked them and the cousins were accused of homicide.

It has been insisted that the events were marked by hatred and that the trial was also racially biased against the two

Latinos. It's known that among others that the two cousins were attacked and insulted by white men and as a result a clash formed but only the two Hispanics went to court. And they were sentenced.

Dennis and his cousin were enjoying that summer night, drinking some a couple of like any of their neighbors. Until then, they had never known that some of their neighbors hated them for not being white.

When they tried to go to the corner bar, a group of white young people that were drinking in the street confronted them. Robert Boemer, Christopher Saladino's friend, testified that he and other five young people were talking when one of them said "*If I see that nigger, I will beat the shit out of him*" in that instance Dennis and Julio were passing by. One of the people in the group had an exchange of words with Dennis, after the group started to attack them with furor that was accompanied by racial insults, bottles of beer, punches and according to the two Latino men, including knives.

It was asked to fiscal assistant Mitch Bober, why no investigation about this attack against the two cousins had been realized. He replied that the case wasn't about the attack against them but about "two fathers who had a son in the cemetery."

The fiscal office never accepted the racial aspect of the incident. Bober who managed the preliminary audience said "It wasn't clear what the accused said in reference to the racial epithets or the rest." Nevertheless, Bober recognized that that night Saladino was among the group of attackers.

Boemer also testified that Saladino got near the three or four white young men who threw Dennis to the floor to hit him. According to the transcript of the case's files, Saladino had been arrested at the beginning of the summer for attacking a police officer and two years before that for hitting a young neighbor.

The judge found an ugly incident when Dennis and Julio were attacked by a group of white racists, but also found that Saladino wasn't involved in the group of attackers. The judge saw Saladino as an innocent bystander or someone who was trying to end the fight.

Steve Marino, Dennis' lawyer, told AL DIA that this seemed absurd. He also said that the atmosphere in the court was extremely tense and that after the trial found that there existed threats toward him. He said he wasn't aware of the threats that had been made to Calderon's family and his neighbors beforehand.

In a trial without a jury, the two cousins were found guilty of aggression and sentenced to prison. After two and a half years in jail, they left with conditional freedom.

Saladino died after, and the two cousins were, again, arrested and accused of murder. Dennis Calderon's lawyer appealed and meanwhile he was in conditional freedom. The court denied the appeal on the fifth of December. This Friday, Calderon has to come before the judge who will surely order his arrest one more time. Julio Maldonado has been in jail because his lawyer didn't appeal on time."

Dennis Calderon, without being able to hold back tears, said that what will hurt him the most will be the moment, on Friday, when he will say goodbye to his children and wife to go to court and then surely to jail. He also said that he understands Saladino's family because they lost a son but that he can't apologize because he didn't kill him. He also referred to the police officers who were present in the case and to the judge who carried the process and said that he cannot forgive them because they committed an irreparable injustice. "*Perhaps God will one day forgive them, but I can't,*" he said in between sobs.