

Collateral Consequences

By George R. Hopkins

*I wish you not a path devoid of clouds,
Nor a life on a bed of roses,
Not that you might never need regret,
Nor that you should never feel pain.
No, that is not my wish for you.
My wish for you is –
That you might be brave in times of trial
When others lay crosses on your shoulders,
When mountains must be climbed,
And chasms crossed,
When hope can scarce shine through,
That every gift God gave you might grow with you
And let you give your gift of joy to all who care for you.
That you may always have a friend
Who is worth that name,
Whom you can trust
And who helps in times of sadness,
Who will defy the storms of daily life at your side.*

Anonymous Irish Blessing

I

*Of one power even God is deprived,
and that is the power of making
what is past never to have been.*
Agathon

MONDAY

1

Staten Island, New York

Homicide Detective Tom Cavanaugh scraped the label off the Beck's bottle he clutched in his hand. He sat alone at a table in the back of R. H. Tugs Restaurant looking out at the dark waters of the Kill Van Kull. Lights from the refineries on the other side of the choppy waters glared across at him. Monday nights were usually quiet here at this time and that was the way he wanted it. He missed his brother, but he was in Cuba. His brother had left too soon, with too many unanswered questions. Logically, Cavanaugh knew if his brother had stayed there would be more questions that he didn't want to answer. For his brother's sake, it was better this way. But he missed him.

He wished he had someone to talk to whom he could trust and be honest with. There were so many things he couldn't talk to Francesca about – at least not yet. Deep inside, he wondered if he could ever talk to her about the death of her father and the man who really killed him.

All of that would have to wait. There were other things more pressing on his mind this night.

The Inquest had been over for a week, but Cavanaugh kept reviewing the events like a kaleidoscope of horrors. It had taken longer than expected. There had been protests and demonstrations. Al Sharpton led a march outside of City Hall. The *New York Times* branded him “a reckless rogue cop” whose actions “endangered the public.” TV and newspaper commentators questioned his judgment and mental stability. The witnesses' statements, the police reports, the autopsy report, the toxicology report, the photos were still etched in his mind. There had been so much confusion.

It all happened so quickly. He had stopped at the local bodega to get a cup of coffee, the newspaper, and a quart of orange juice. He was on his way home after a boring day of checking bank statements of a murder suspect and was looking forward to a shower and a grilled cheese sandwich with onions and pimentos, a diet coke, followed by a Drambuie on the rocks while he watched N.C.I.S. He would probably call Francesca

and see what she was up to later. But things didn't turn out that way.

As he was pouring the coffee, two teenagers came in with guns drawn demanding everyone get down. Before Cavanaugh could turn he heard one of the teens shoot Samir, the store owner, twice. Turning he saw the other one, taller and more muscular, aiming straight at him. Cavanaugh dropped to the floor and pulled out his Colt as the teen fired at him. Cavanaugh heard glass shattering behind and a short scream as he leveled his weapon and fired four shots. Both teens fell backwards, the taller one falling into a pyramid of Campbell's soup and the chunky one crashing into the cash register and spilling a variety of sugarless gums in all directions. Three customers looked on in silence as another teen ran out the front door.

Cavanaugh rose to his feet and surveyed the damage. "I'm a police officer," he shouted. "Everyone stay calm and don't move!" Carefully, stepping around the two teens and their growing pools of blood, he looked for Samir. There behind the counter lay Samir with two bullet holes in his chest. "Somebody," Cavanaugh yelled, "call 911!"

Then he heard the scream which still haunted him in his dreams. "Maria! Maria!" Turning he saw a young woman in blue slacks and a white blouse kneeling in front of the ice cream freezer's shattered glass door beside another woman. He looked for a phone. "Does anyone have a God-damn cell phone?" he demanded. "Call 911! We need help here!"

A gray haired man in a dark suit and black eyeglasses peered up from behind the apples and oranges and flipped him his cell phone. Cavanaugh made the call moving toward the girl on the floor. She was bleeding badly from her stomach. He took his coat off and tried to stop the hemorrhaging. He couldn't hear what she was saying at first, but then he heard her say, "Help me. My baby. My baby. Help please...." He looked around for the baby before realizing she was pregnant.

At the Inquest the witnesses all gave different accounts. The only undisputed facts were that both teens were dead as were Samir, Maria and her unborn child. One said Cavanaugh fired without provocation. Another alleged one of his shots had killed Samir. The family of Mrs. Maria DeFillipo was distraught. Why hadn't he protected their wife, daughter, and sister? The families of the teenagers claimed Cavanaugh fired first and never identified himself as a police officer. They insisted their sons were good boys even though they already had a long list of arrests. At the Inquest, the judge and jury of six examined all the circumstances surrounding the killings. Under pressure from special interest groups and the media, they took their time. It was the forensic report, however, which clearly showed Samir and Maria were killed with the guns from the teens. Cavanaugh's shots had all hit their targets dead center in their chests. The final verdict of the Inquest was that Cavanaugh's killings were justified. The prosecutor agreed. That was a week ago, and he had just returned to work today.

But being cleared didn't clear Cavanaugh's conscience. He still

heard the screams, saw the blood, and felt the struggling fetus. He had used deadly force to stop a robbery, but had not stopped three murders. The Inquest exonerated him, but he hadn't exonerated himself.

He stared at the waters and the current outside as if waiting for an answer.

Big Paul Scamadella, Monday's bartender, came over to his table. "There's a call for you, Cavanaugh, at the bar."

"I'm not here," Cavanaugh said.

The tall white haired bartender smiled, "Suits me, but it's your partner, Goldberg. He sounds a bit anxious."

"He's always anxious."

"I think you better take it, Cavanaugh. He knows you're here, and he says it's important."

Big Paul hesitated looking down at Cavanaugh.

"What are you looking at?"

"I don't know. You look different. Are you letting your hair grow?"

"Drop dead, Paul."

Cavanaugh downed the rest of his beer and then walked slowly to the bar. "What do you want, Goldberg? This sure as hell better be important."

"It is," the voice on the other end of the phone replied. "There's been a murder. I'm at the old Staten Island Hospital. It's on Castleton Avenue, off Cebra Avenue. It's only about five minutes from where you are. Get over here right away."

"What do you mean you're on Staten Island? We work in Brooklyn. We don't work here. What the hell is going on?"

"I'll explain when you get here. All I can say is there's a dead body in a closet, and it's got your name on it – literally."

* * * *

Havana, Cuba

Father Jack Bennis walked down Calle Obrapia coming from Parque Central. The park with its twenty-eight tall royal palm trees surrounding a large marble statue of José Martí, the martyred Cuban revolutionist and patriot, had become one of the priest's favorite places to listen to heated debates about baseball, to watch the reaction of locals and tourists, and to pray.

It was early evening. He wore an open white shirt, rumples khakis, and a navy blue New York Yankee cap. He could have fit in with any of the other passersby; except for the Yankee cap and that he stood four or five inches taller than everyone else. He walked with the confidence of experience and conviction. His furrowed brow, however,

showed he was troubled. He sensed someone was following him.

At the corner of Calles Aguacate and Obrapia, he turned right. The sidewalks were narrow here. There weren't many cars in Old Havana so he moved into the street. The few cars he saw were old – very old. Walking through the streets of Havana, he felt like he had stepped into a time warp and had been thrown into the 1950's. The distinctive tail fins and the sleek lines of the cars were still there, but the shiny chrome had faded and multicolored coats of paint tried to hide the rusting. Next to the peeling stucco of buildings that had not seen paint in decades, it was plain to see Havana, Cuba had not aged well.

A bicycle bell jingled, and Santiago, a gray haired sixty year old with weathered brown skin, smiled and whispered, “Buenas noches, Padre,” as he rode by. Bennis tipped his Yankee cap and smiled. They were beginning to know who he was. Santiago had become a fixture in the marketplace.

Santiago sold fruit and vegetables from a small stand in the Plaza de la Catedral where Father Jack Bennis, S. J., had begun to say mass. He was the most likeable of the *pregoneros* and would sell his products in a loud, singsong, comic way which attracted all. Santiago, like most of the Cubans he met, was a good man who made the most of what he had, enjoyed a good time, and was eager to gain peace from the religion of his ancestors, which had been suppressed for a long time.

Priests were always needed, and Bennis had quickly been accepted by the people.

He had come to Cuba to do what he believed was God's work. Cuba had been wallowing in the shadows of Christianity for many years. Gradually, Castro had loosened the restraints on the Catholic Church, and, Bennis felt, the country was ripe for a new beginning.

When he left New York, Bennis took with him several numbered bank accounts. Howard Stevens, an ex-C.I.A. agent who had also been his operation leader when he worked on covert missions for the U.S.A., had scattered around the world. He also took the list of Cuban contacts. Vito Muscatelli, a retired mob boss, had given Stevens in return for the safe return of his grandson. Bennis knew Stevens wouldn't have any future use of these, as he was there when Stevens was shot to death.

When Jack Bennis arrived in Cuba, he met with the Archbishop of Havana and secured an assignment at the Catedral de la Virgen María de la Concepcion Inmaculada, more commonly known as the Catedral Habana or simply the Catedral San Christobal based on the belief that Christopher Columbus's body had been kept in the church for over a century. The Cathedral of the Immaculate Virgin Mary would have been a plum assignment except for the fact that it was rarely open for religious services. Except for tourists from noon to 3:00 P.M., cultural extravaganzas, and an occasional Sunday mass, the church was usually closed.

The Jesuits had started to build the church in 1748. When the

Jesuits were forced to leave Cuba, the task of completing the structure fell to the Franciscans who eventually finished construction in 1777. Over the years the church fell into disuse and disrepair and became more a national monument and a social gathering place than the religious and spiritual place of worship it was originally intended to be. The Plaza de la Catedral which it faced had become a busy, noisy street market frequented by tourists with foreign cameras and deep pockets to purchase an endless array of souvenirs and other pleasures. At night, the plaza bustled with music, drink, and laughter.

Perhaps it was because of the turmoil Jack Bennis escaped from in New York, perhaps because this new assignment presented him a challenge. Whatever it was, the church with its mismatched bell towers became like a new home to him.

Father Bennis went to work quickly opening the church for 6:00 a.m. daily masses. At first, his congregation consisted of a few wrinkled old women, but gradually word spread about the smiling gringo priest and in less than two months he was saying daily 6:00 and 9:00 a.m. masses and four masses on Sundays.

His frequent walks through the city of Havana brought him in contact with many more people. As news of the tall priest spread, he quietly made inquiries about the names on the list Muscatelli had given Stevens. All of them were dead or had left the country or had disappeared – all except for one – Frank Santacrose who now went by the name Francisco Santacruz.

Santacruz, Bennis learned, was a man of power and influence. The priest went so far as to invite the business man to join the new church council he was forming. Santacruz asked a few terse questions and then hung up. He never came to the church, but shortly after their conversation, Father Bennis had the occasional feeling he was being followed. Today, he was sure of it.

In the reflection of a cracked window on a 1954 Ford pickup parked in the street, Bennis noticed a man in a dark leather jacket, much too warm for the weather, hesitate at the corner behind him in the shadows of one of the porticoes jutting out from the crumbling, washed out multi-colored stucco buildings lining the street. The priest glanced across the street and spotted another man abruptly turn and disappear behind the faded blue column of another portico. He, too, was overdressed for the hot Havana weather. Both were white, and from their clothing, probably American.

Amateurs, Bennis surmised, but dangerous nevertheless. Was he becoming paranoid? Had Muscatelli traced him from his phone call to Santacruz? Had Muscatelli figured things out? Never underestimate the situation his Drill Instructor had drummed into him. He walked steadily down the street nodding at familiar faces while the two strangers continued to follow him. He casually glanced back waving at a familiar face. The two men following darted quickly into the shadows. He wasn't

being paranoid. They knew he was here. This made things a lot more difficult. The seven Ps from his long ago basic training flashed back to him. "Prior proper planning prevents piss poor performance." He couldn't afford mistakes. Knowledge from his other life in covert operations kicked in. A plan began to evolve in the priest's mind. It wasn't a holy one.

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3

Staten Island, New York

Police cars lined the road and a small crowd of curious onlookers had gathered outside the chain link fence when Cavanaugh got out of his car at the old abandoned Staten Island Hospital. He looked around. Goldberg, dressed in a suit and tie, was waiting for him with folded arms. Behind him loomed the crumbling remains of a three story red brick building with turrets pointing to the evening sky like inverted ice cream cones. In the dark, the building had the eerie quality of a battered medieval castle. Across the street stood the backside of a modern mosque.

"Welcome to Staten Island, Cavanaugh," a voice called to him. He turned to see a familiar face. There at the gate to the crime scene stood Officer Michael Shanley beaming like he had just hit a grand slam in the bottom of the ninth to win the World Series. "Hey, it's great to see you guys! Cavanaugh, you look a little different. Are you letting your hair grow? How the hell have you been?"

Cavanaugh's initial smile melted when Shanley moved forward, and he recognized the two police officers standing behind Shanley.

One was Officer Bill Midrasic, a cop from his precinct in Brooklyn who, Cavanaugh surmised, had probably come with Goldberg. There was no love lost between Cavanaugh and Midrasic. He knew Midrasic would like nothing better than to beat him to a pulp like he did to his wife, but Cavanaugh knew he was, like most wife beaters he met, a punk whose bark was bigger than his bite – except around defenseless women.

The police officer next to Midrasic, however, was a different story. When their eyes locked momentarily, the hostility in her eyes could be read as easily as a flashing traffic sign. Goldberg saw her reaction too and whispered, "Looks like your past is catching up with you, Tom."

Cavanaugh wanted to crawl into a pothole, but he ignored Midrasic and pretended not to see the woman whose eyes pierced his conscience like stilettos laced with hot salsa. Instead, he pushed Goldberg forward and raced to hug Shanley. "Hey! How the hell are you?" he almost shouted. "What the hell are you doing on Staten Island?"

“I live here,” he said. “I transferred from the old precinct a couple of months ago. Rhatigan’s here too. He lives in Rosebank.”

“Wait a minute now. Where’s your loyalty to Brooklyn? You guys aren’t, by any chance, living together and all. I heard things like that happen on Staten Island! That’s why I stay in Brooklyn like the Dodgers should have.”

Shanley laughed, “Heck no. Nothing like that. I love it here. Staten Island’s a great place. I live down by the ferry and walk to work every morning. It’s like I died and went to heaven. You should move here.”

Out of the corner of his eye, Cavanaugh noticed the woman police officer advancing slowly toward him. She had put on some weight from the last time he had seen her. She looked something like a blue snowman – except, as Cavanaugh well remembered, she lacked snowballs. Her folded arms seemed to rest on her protruding belly as her words added an icy chill to the evening air. “*Buenas noches*, Detective Cavanaugh.”

“Oh, Officer Perez? I didn’t see you there for the moment,” Cavanaugh lied. “Allow me to introduce you to my partner, Detective Goldberg. Morty, this is Meredith Perez.”

Perez and Goldberg exchanged nods.

Cavanaugh turned quickly to Shanley and said, “I hear we have a victim here. Let’s get on with the show. We have a lot of work to do.” The detectives followed Officers Shanley, Midrasic, and Perez into the foreboding building which now looked to Cavanaugh, as he brought up the rear, like a porthole to hell.

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Havana, Cuba

Old stucco buildings of various fading colors guarded the narrow cobblestone street like silent wearied sentinels. Women carried bundles of produce from the markets at the Plaza de la Catedral and the shops along Calle Obispo. Music rained down on the street from apartments with open shutters and balconies with hanging wash. Bicycles weaved in and out around pedestrians and the smells of home cooked delicacies like papas rellenas and yucca rellena added to the relaxed atmosphere of a lazy evening.

But as he stopped at the corner of Calles Aguacate and Lamparilla to check for sporadic traffic, Fr. Bennis noticed his followers had closed their distance. They would want to get him before he reached the crowds in the Plaza. Abruptly, the priest turned left and then hesitated before the courtyard to an apartment house in the middle of the block until he

was sure one of his followers had seen him. Then he walked nonchalantly into the three story building, passed a mother nursing her infant, two young boys kicking a soccer ball around her, and four teenagers playing upbeat Cuban music which somehow sounded to Bennis a little like an upbeat version of "Imagine There's No Heaven."

A few minutes later, the stranger in the leather jacket scurried into the building.

The priest climbed to the second floor landing and waited in the shadows. Inside one of the apartments he could smell baked beans and fried plantains cooking and hear a baby crying. But he concentrated on the steps of the stranger moving slowly up the stairs.

When the stranger reached the second landing and turned, he stopped short. There lying on the floor in front of him was the priest. Leather Jacket hesitated for a moment. That was all it took. The priest drove his right foot firmly into the man's crotch and then, springing to his feet, gave Leather Jacket a vicious head butt followed by two simultaneous bilateral karate chops to the sides of his neck.

When the stranger woke up, he was on the roof with the priest's knee firmly pressing down on his wind pipe. Below the group of teenagers assembled in the courtyard had grown and were having a vibrant Cuban jam session playing descargo music.

"Who sent you?" Jack Bennis asked politely as he eased pressure on the stranger's neck while pressing the end of the silencer of the semi-automatic Soviet made Makarov he had removed from Leather Jacket's pocket into his neck.

"No hablo ingles."

"Bull shit, José. Who sent you?"

Leather Jacket grimaced. "I . . . I don't know," he stammered.

"You are lying, and I don't like liars," Bennis said moving the Makarov's barrel to the center of Leather Jacket's forehead. "Last chance, José?"

"I . . . I had my orders I was only following orders!"

"Where have I heard that one before? What were your 'orders'?"

Beads of sweat ran down Leather Jacket's face.

"I'm not fooling, José. Speak now. It may be your last chance."

"Okay, okay, don't shoot. I was supposed . . . I was supposed to scare you – I wasn't going to shoot you. . . . I only planned to scare you . . ."

"You're lying again. Is that two or three strikes?"

"No, no, please, no"

"This gun may be old, but it's fully loaded, equipped with a silencer, and ready for action. You don't scare people with a weapon like this, José. You kill them." Bennis hesitated, than added, "I know from experience."

"No, please . . ."

"Speak to me. I'm listening, but I'm growing impatient."

“My boss got a call from New York. Some old don or something....”

“Name, please.”

“I don’t remember the name.”

Bennis pressed the barrel of the gun deeper into Leather Jacket’s forehead.

“Think harder. This isn’t a Congressional hearing. Your life may depend on it. I can’t recall doesn’t fly here.”

“Okay ... okay. It was Macaroni or something like that.”

Jack Bennis smiled, "Could it have been Muscatelli?"

“Yeah, yeah, that's it. Muscatelli.”

The priest eased up the pressure on Leather Jacket's forehead and rose slowly. He leaned over and pulled the stranger up. “One more question. Did you come alone?”

Leather Jacket never hesitated, “Yeah, yeah. I came alone. I only wanted to send a message....”

“Too bad, José. Didn't anyone ever tell you it's a sin to tell a lie? You just struck out.” He spun the man in the leather jacket around so that he was facing the edge of the roof.

Leather Jacket tried to turn, but the priest's foot was in his back, one hand holding his jacket, the other pressing the Makarov into the back of his head.

“Make a quick Act of Contrition, José, because I have a message to send now myself. It’s only a three story drop. If you’re lucky, you should be able to make it with only a broken leg or two.” With a quick kick to his back, the stranger toppled over the side of the building.

“*Vaya con dios,*” the priest whispered as the man's screams drowned out the music below.

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