

## DANGER ROAD [Excerpt]

A true crime story of murder and redemption

Danger Road is the incredible true story of three drug dealers who were brutally murdered in 1983 on Danger Road the Florida Everglades. Lured into a phony drug deal each victim hoped would be his big retirement score, they allegedly found themselves at the business end of a gun wielded by a Miami-Dade police officer. Richard "Dickie" Robertson was getting out, going straight. On April 1, 1983, Robertson had orchestrated a deal to sell 20 kilos of cocaine, worth roughly \$300,000.

Around 1 p.m., Robertson — dressed in blue Sergio Valente jeans and a black T-shirt that read "Eat Shit and Die" — left in his shiny, black, 1983 Chevy Camaro Z28. He picked up his partners, Walter Leahy Jr., 25, and Alfred Tringali, 31, and headed for a house in Hollywood.

Gil Fernandez Jr. was waiting.

Inside the Hollywood house, the six-foot, 275-pound Fernandez sat quietly in the living room. A decorated but troubled street cop with the Miami-Dade Police Department, Fernandez went by the nickname "The Hulk."

Fernandez was accompanied by fellow bodybuilders Tommy Felts and Michael Carbone. Felts waited by the door. Carbone hid in a bedroom, a Thompson submachine gun by his side.

Robertson and his partners arrived. They knocked, holding a styrofoam ice chest filled with cocaine. Felts answered and motioned the three men into the living room. Hearing them, Fernandez stormed toward the guests. He threw Robertson to the floor and jammed a pistol into his mouth.

"You fucked over the boss!" Fernandez yelled.

Carbone ran into the living room, bringing to the house a silent terror as he held the enormous machine gun. Nervous, he pointed the firearm at Fernandez.

"Point the gun at those guys, not at me," Fernandez instructed him.

Felts pulled out kilo after kilo of cocaine from the ice chest. There were only eight, not 20, but it didn't matter. Fernandez and his muscled partners had no intention of paying for the drugs.

Fernandez asked, grabbing the pager and smashing it to the floor.

The Miami cop then slipped on weight-lifting gloves and tied the three men's hands behind their backs. He wrapped brown cloth around their heads, covering their eyes.

They pleaded.

They begged.

Take the coke. Just let us go.

They didn't want to die.

Felts stuffed paper towels into their mouths, stifling their terrified pleas.

He and his fellow bodybuilders piled their captives into Carbone's white 1980 Pontiac Grand Prix. They drove west on Griffin Road, passing the new subdivisions being built, including the one in which Robertson had just bought a home for his family. The road ended at U.S. 27, a desolate highway that runs along the edge of the Everglades. Fernandez knew the area well. As a street cop, he used to patrol the northwest fringes of Miami-Dade County.

Fernandez had in mind a narrow gravel road that splinters off U.S. 27, just south of the Broward County line. The road dips down toward an embankment, then follows along a canal that leads deep into the mosquito-infested marshlands. The two dozen people who lived in nearby trailers at Jones Fish Camp called the gravel path Danger Road.

Late in the night, Felts turned the Grand Prix onto Danger Road and parked. Fernandez ordered the three captives out of the vehicle. The three men were bound, gagged, and blindfolded. It was hot. Bugs chirped. The cars on U.S. 27 hummed in the distance.

Fernandez walked down toward the canal and forced one of the men into the water. "He told the individual to kneel; then I heard a gunshot," Carbone would later testify. "And then I heard a splash of water."

Fernandez called for the next man. Felts brought him over. A muzzle flashed.

Bang! Bang!

Splash.

He called for the third. The man knew he was about to die. Fernandez took hold of him and fired. Bang!

A short struggle erupted.

Fernandez fired again.

Bang!

Splash.

His jeans covered in blood, Fernandez walked back to the Grand Prix. He instructed Carbone to vacuum the inside of the car and wash the entire vehicle, including the tires and undercarriage.

"If you ever open your mouth about this, I will kill you," Fernandez told Carbone. "Even if you go to China, I will find you and kill you."

The threat went unfulfilled. Seven years later, Carbone, a career criminal, agreed to testify against Fernandez and his alleged Mob boss, Hubert "Bert" Christie. An immunity deal was only one of Carbone's incentives. From 1985 to 1987, six people associated with Fernandez, including Felts, were found murdered. Police suspected that Fernandez, under increasing heat from local and federal law enforcement agencies, was rubbing out potential witnesses. Carbone believed he could be the next victim.

But when he was arrested in 1990, seven years after executing three men in the Everglades, Fernandez was a different man. Or so he seemed. He claimed that he had undergone a profound religious transformation. He was a born-again Christian, he said. On the day of his arrest, police found in his car a letter that described in detail his apparent religious conversion.

"On August 13, 1989, I had the most incredible experience of my life," the letter read. "I met a man named Jesus Christ. Since then, my life has changed drastically. The Lord has delivered me from dangerous drugs, liquor, steroids, and violence."

Prosecutors were openly skeptical.

"You found God?" Cora Cisneros, an assistant statewide prosecutor, asked Fernandez sarcastically during a bond hearing.

"He was always there," Fernandez answered. "He found me."

"We thought it was convenient that suddenly he'd found God," remembers Broward Circuit Court Judge Cynthia Imperato, who at the time was one of the assistant statewide prosecutors assigned to the case. "We were sure it was all an act."

For the past 15 years, Fernandez has continued that work. He's been shuttled among five maximum-security penitentiaries in that time. Today, he calls home Union Correctional Institution, affectionately called "The Rock," in Raiford, north of Gainesville. He'll likely spend his last days there. But that's where God wants him, he says, a place where hope and salvation are so desperately needed.

Fernandez has a strut, a way of lumbering elegantly. Contini, his former defense attorney, still likes to watch Fernandez walk. "He commands a presence," Contini admits. "Just look at him. He's like a machine."

In 1983, Fernandez's life began to change drastically. He was on a steady regimen of steroids and trained every day with Felts for the Mr. Florida Bodybuilding Contest. He also decided to go into business with Christie, even as he remained on the police payroll.

According to reports from BSO — which investigated the members of Apollo Gym as part of a years-long investigation code-named "Operation Muscle" — Christie was much more than a physical trainer. He was a Mob associate affiliated with Chicago crime families. A confidential informant working with BSO told investigators that Christie took John "Johnnie Irish" Matera, a 48-year-old captain with the Colombo crime family, on a fishing trip in 1980 and "cut him in pieces and disposed of the body at sea."

According to reports from BSO — which investigated the members of Apollo Gym as part of a years-long investigation code-named "Operation Muscle" — Christie was much more than a physical trainer. He was a Mob associate affiliated with Chicago crime families. A confidential informant working with BSO told investigators that Christie took John "Johnnie Irish" Matera, a 48-year-old captain with the Colombo crime family, on a fishing trip in 1980 and "cut him in pieces and disposed of the body at sea."

Christie, the informant said, "specialized in murder." When Mob figures in the Northeast needed a hit in Florida, the informant continued, they called Christie.

Three years after the slaying of Johnnie Irish, law enforcement reports reveal, Christie formed his own organization. Fernandez, Felts, and Carbone became his muscle. At first, they were sloppy.

"The group would do home invasions and burglaries until they started selling protection," a Mob associate named Peter Urban told BSO. "What the group would do is go into a bar and start a big fight. The following day, Christie would go into the bar and try to sell protection."

Christie and Fernandez were ambitious. Loan sharking was only the beginning of the enterprise.

"Gil Fernandez was involved in the beginning of Miami's drug trade," says Diaz, who as a homicide detective went on to investigate Fernandez.

According to Diaz, Fernandez was one of the enforcers behind former South Florida drug kingpin Randy Lanier's drug enterprise. Christie tracked debts, and Fernandez collected them with force.

As cocaine exploded in the early '80s, the crew started dealing. According to a BSO confidential informant, Christie devised a scheme to profit from sellers and buyers. "Christie starts setting up drug deals in order to take down both ends (seizing the drugs being sold and money used to purchase the drugs)," BSO Detective Joe Damiano wrote in a November 1987 report.

Among the first victims was Dickie Robertson, a lower-level cocaine dealer also associated with Lanier.

According to statements that Carbone later gave to the FBI and BSO about the execution of Robertson and his associates, Leahy and Tringali, in the canal by Danger Road, Fernandez, Carbone, and Felts later drove north of U.S. Highway 27, turning right on Sheridan Street. They headed toward the ocean. As the Grand Prix crossed over the Sheridan Street bridge, which spans the Intracoastal Waterway, Fernandez threw his gun in the water.

Driving the Grand Prix, Felts pulled into a gas station on A1A. Christie stood there. He leaned into the car.

"Was it done?" Carbone remembered Christie's asking.

One week later, Fernandez resigned without reason from the Miami-Dade Police Department. Later that year, he won the Mr. Florida Bodybuilding Contest.

During this time, Fernandez's wife had been feeling a spiritual calling, he says. She wanted to go to church. She nagged. He resisted. Fernandez had time to worship only his body. In early 1989, he purchased the Apollo Gym from Christie and continued to train himself for bodybuilding contests. But in August of that year, he slipped and fell, breaking his ankle. While in the hospital, he received a call. To this day, he doesn't know who it was from or even if the person had the right number, he says. "We just called to say we love you, and we're praying for you," the caller said.

On July 3, 1990, the phone rang at Fernandez's home in Pembroke Pines. He answered and knew immediately that his time had come.

"Phone rang, and they hung up," Fernandez says. "That's the oldest trick in the book."

Fernandez walked outside and started his car. He thought he might as well try to drive to the Apollo Gym, which he'd recently redecorated with pictures of Jesus and the Virgin Mary. He headed east on Pines Boulevard.

A helicopter flew overhead, monitoring him. Police cruisers filed in behind. They included officers and detectives from BSO and the Miami-Dade police. The cruisers' lights flashed as Fernandez neared University Drive. He pulled to the side of the road. The officers drew their weapons. Fernandez stepped out and surrendered.

"I haven't been to this area in nearly 15 years," says John P. Contini as he looks for the site where his former client, Gil Fernandez Jr., executed three men and dumped their bodies in 1983.

It's a cool December morning, and Contini, a 48-year-old criminal defense attorney with white hair and a gentle demeanor, is traveling down U.S. 27 on a 20-mile trip from his home in Weston to a spot of marshland just south of the Broward County line.

At the height of the media circus, on September 21, 1991, defense attorneys filed an unsuccessful motion for an injunction to stop the tabloid television show *A Current Affair* from airing a segment about the alleged crimes titled "Lift and Let Die."

Because Fernandez kidnapped his three victims in Hollywood, then crossed the county line to kill them in Northwest Miami-Dade, the Office of Statewide Prosecution handled the case, which was tried for six weeks in downtown Fort Lauderdale. The state's case was problematic. The murders had occurred eight years earlier, and all of the evidence linking Fernandez and Christie to the killings was circumstantial. Prosecutors relied heavily on the testimony of Michael Carbone, a convicted extortionist and drug dealer who helped Fernandez carry out the murders.

Carbone agreed to testify against Fernandez and Christie in exchange for full immunity and admission into the Witness Protection Program.

Contini grilled Carbone during the trial, suggesting that he was in fact the murderer and had flipped to protect himself. Carbone admitted that he guarded the three victims, machine gun in hand, for six hours as Fernandez disposed of their car. All that time, Carbone had an opportunity to release them, Contini told the jury during the trial.

But Carbone's testimony was enough to convict Fernandez and Christie. A jury found them guilty of three counts of first-degree murder but spared them the death penalty, instead sentencing the pair to three consecutive life sentences.

Judge Susan Lebow overturned Christie's conviction based on ineffective legal counsel and granted the Mob boss a new trial. She found that Christie's attorney, Louis Vernell Jr., had not adequately defended him. Contini agrees and claims that Vernell did as much damage to Fernandez's case as the prosecution did.

"I'd shoot holes in a witness' testimony, and then Vernell would get up and undo all the damage," Contini says today.

Vernell, who had previously defended other alleged Mob associates, had a documented relationship with organized crime. Among evidence submitted in Fernandez's and Christie's murder trial was a November 1987 report from the Broward Sheriff's Office. A confidential source told BSO that Vernell asked members of the Colombo crime family to kill his wife, who was allegedly having an affair.

"Louis Vernell wasn't there to defend Bert Christie. He was there for one reason — to make sure Christie didn't talk," Pat Diaz, the Miami-Dade homicide detective who investigated the murders, tells *New Times*.

Christie, who was 66 years old and in poor health when he won a new trial, died six months later.

"John's relationship with Gil is definitely unusual," says Fernandez's former prosecutor, Jim Lewis, who is now a criminal defense attorney in Broward. "Generally, after defending a client, the relationship goes 100 percent the other way. The guys I end up with on death row or with life sentences, they don't call or write too much. I get Christmas cards from time to time, but I can tell you that they're not very happy Christmas cards.

"I thought John did a good job in the trial," Lewis continues. "He did everything he could do. If he has guilt, I don't know why he should. We represent our clients as best we can, but we're not responsible for what our clients do."

When Lewis prosecuted the case, he believed that Fernandez's religious conversion was an act. Today, he's not sure. But he has no doubts about Fernandez's guilt.

Lewis takes a pause. He's still passionate about the case.

"I'm a Christian person, and I believe in redemption," he says. "I also believe there are some crimes so heinous that they deserve the ultimate punishment. I believe Gil Fernandez deserves that punishment."

Lewis, who sat next to Imperato at the prosecution table, believes that the effort could be a waste. Fernandez is a killer, a brutal murderer; that's all he needs to know.

"There's no doubt in my mind that Gil Fernandez is responsible for those unsolved murders," Lewis says. "I'm quite sure he's responsible for five or six of those killings. He can confess or not confess to murders. I am just as sure in his guilt now as I was then. Am I bothered that he won't come forward and confess? No, that doesn't bother me particularly. Given that he won't be executed, I just don't think he should ever get out of jail. I think what he's doing — some of the things in the jail — it's admirable. But I still don't want him out on the street with you and me."

Back in the Spring of 1991 the parties gather in courtroom 970 to begin jury selection. We meet the three prosecutors who will argue the case: Jim Lewis, Doug Molloy and Cindy Imperato. Gil is offered a deal by the prosecutors, through which he can assure that he'll be spared the death penalty. The only problem is that he has to testify against Bert Christie, who has been charged as the mastermind of the murders. Gil refuses. John later finds out that the prosecutors had also offered the same deal to Christie, who also refused.

The prosecutors reveal that they have a new witness, Paul Combs, who is supposed to have heard the victims incriminate Fernandez before their murders. This last-minute witness is in addition to the state's star witness, Michael Carbone, who supposedly participated in the murders. Carbone "flipped" on Fernandez and Christie, after entering the federal witness protection program. Unlike Carbone, who gave law enforcement compelling evidence he was at the crime scene, Combs' testimony would be "rank hearsay" or "dead men's talk," which couldn't be refuted during trial because the people from whom he allegedly heard it

— the victims — were dead.

Cindy Imperato, the least experienced of all the prosecutors, gives the state's opening statement. Holding tight to the podium, she wins the jury over with her humble style. Next up will be the state's star witness, five time felon Michael Carbone, who secured complete immunity by revealing details to police that could only be known by someone who was present at the murders. He identified the exact location of the bodies, how they were bound and gagged, the color and texture of the cloth used for the gags, the manner of death for each victim, and the colors of their T-shirts. He even gave them the eerily prophetic words on the black T-shirt that victim Dickie Robertson wore with his Sergio Valente jeans: "Eat S\*\*\* and Die".

John continues to go after Carbone, making the jury aware that he had been intimate with the sister of one of the victims. When Carbone admits that he felt bad about deceiving her about being present at her brother's death, John walks over to the judge's table, grabs a tissue out of a box and hands it to Carbone, saying, "Oh, you felt bad? Do you want one of these?"

John, Louie and friends celebrate Carbone's decimation at a bar on Las Olas in Fort Lauderdale. Although Louie was quick-witted when it came to the cocktail waitresses, he wasn't anywhere near as sharp the next day when it was his turn to cross Carbone. Once a capable attorney, Louie was now a little past his

prime. While John watched in horror, Louie's cross-examination went south, undoing all the damage John had done to Carbone's credibility the day before.

Convicted felon Paul Combs was alleged to have fronted the money for the eight-kilo drug deal that preceded the murders. He was set to testify that he heard victim Dickie Robertson mention Gil's name in connection with the deal. John confronts prosecutor Lewis in the hallway, accusing him of subornation of perjury, or coaching Combs to give perjured testimony. Dismissing John's remarks, Jim reminds him that Tyson had already ruled to allow the testimony, so there was nothing anyone could do about it.

After Combs testifies, John uses his cross-examination to sully Combs' reputation with the jury. John informs them that Combs is a convicted felon who agreed to testify only after receiving immunity for alleged federal parole violations and for providing the drugs for the deal that preceded the murders. He also points out that Combs has done the "professional witness thing" before. Yet, when John asks Combs why he decided to testify at the last minute, he responds, "I didn't want to get involved."

After Combs was through "testilying," it was Rebecca Carbone's turn. She was Michael Carbone's wife in 1983 and was called to recount the story he told her when he came home on the night of the murders. A Ma Barker caricature of a wise guy's wife, Rebecca resisted John's attempts to elicit information from her. John verbally pushed her back, creating such oratorical fireworks between them that Judge Tyson had to squelch the hooting and laughter that came from the spectators. After John finished with Rebecca, Louie cross-examined her on Bert Christie's behalf, igniting an already incendiary situation. The courtroom erupts in gales of laughter and prosecutor Doug Molloy calls for a motion to clear the courtroom, when Louie says, "Mrs. Carbone, do you think your ex-husband's pathological lying has rubbed off on you?"

In contrast to his rough treatment of Rebecca Carbone, John had to be very careful with the next witness: Linda Allard. As the girlfriend of victim Dickie Robertson and the mother of his child, she had to be handled with the utmost respect. She had told police years before that when Dickie didn't come home after the drug deal, Combs put a gun to her head and asked her where he could find him. Combs thought Dickie had ripped him off for the cocaine he fronted him; yet, this was indirect opposition to the story he told on the stand. After all, if he knew the drug deal was being done with a "bodybuilder from Hollywood, named Gil," as he testified, he wouldn't have held a gun to Linda Allard's head and asked her where Dickie was. Combs would have instead been out looking for a guy named Gil. Because of this, Linda was key to John's assertion that Paul Combs was lying.