

THE BUFFALO NEWS

FOCUS: BIKE PATH INVESTIGATION

Cooperation was the key to finding Bike Path Killer

Efforts of task force caught serial rapist

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In the end, it was Anthony J. Capozzi who led detectives to the Bike Path Killer.

Of the thousands of pages contained in the old Bike Path Rapist case files, the key to solving the quarter-century mystery was found in the thick file of the wrongfully imprisoned Capozzi.

That reference, to a 1981 rape in Delaware Park, did more than ultimately free Capozzi.

It also opened a new investigative path that led a dozen detectives to snare Altemio C. Sanchez.

“Their cases were so intertwined,” State Police Investigator Josh P. Keats explained last week. “You wouldn’t have caught Sanchez without Capozzi’s case files, and you couldn’t have freed Capozzi without catching Sanchez.”

Just as Sanchez tightened a cord around his victims’ necks, task force detectives spent a frantic two months, from mid-November to mid-January, developing the evidence to tighten the criminal noose around Sanchez’s neck.

Erie County Sheriff Timothy B. Howard put together the bike path rape task force Nov. 16, after authorities determined that the same serial attacker had killed Joan Diver in September on a bike path near her Clarence home.

The task force — composed of investigators from the Sheriff’s Office, the State Police, Amherst and Buffalo — put the handcuffs on Sanchez less than two months later.

Along the way, investigators relied on several key pieces of evidence, including the tidbit buried in Capozzi’s file, a white four-door Pontiac Sunbird, a recanted story from a North Carolina man and a DNA sample from another Sanchez relative.

After task force detectives handed over a mountain of evidence to the Erie County district attorney’s office, the case proved too daunting for Sanchez to fight in court.

That's why Andrew C. Lo- Tempio, his attorney, had only last-ditch options, including a change-of-venue request and an insanity defense that he realized had little chance of success.

Armed with that conclusion, Sanchez confessed Wednesday to the three murders.

Unsung heroes

This is a story of unsung heroes, a 12-member task force that parlayed old-fashioned police digging with modern-day technology to get their man. Some avoided the public spotlight, but all helped bring a guilty man to justice and an innocent man to freedom.

Late on the night of Jan. 5, Erie County Sheriff's Chief Scott R. Patronik was reading Capozzi's huge criminal file, based on a hunch from FBI profilers.

What jumped out at him was a reference to the victim of an April 1981 Delaware Park rape, who was adamant she had spotted her attacker three days later, driving a car near the Boulevard Mall in Amherst.

That clue turned into a dead end 26 years ago, when the car's owner, Wilfredo Caraballo, told Buffalo police the vehicle hadn't been used in a month. And the rape victim did not identify Caraballo from a photo array.

But this time, that reference led the task force to Caraballo and ultimately to Sanchez.

Investigators have called it the ultimate irony in this case.

"Inside the innocent man's files was the key to the guilty party being discovered," Sheriff's Senior Detective Alan N. Rozansky said.

That key helped open the investigative door on Jan. 10, when Patronik and Rozansky were parked in a Hertel Avenue junkyard. Rozansky had contacted Caraballo's brother and sister, without saying why he wanted to talk with him.

And now Caraballo, from North Carolina, had called Rozansky's cell phone, at 2:45 p.m. that day.

Caraballo told the detectives he knew why they had called; it was about "that thing that happened many years ago," he said.

Caraballo was right. Rozansky then asked him about the 1981 incident.

"I'm not sure I ever told the police, but it was my nephew that was driving the car," Caraballo said on the speaker-phone call, according to the investigators.

Rozansky asked who his nephew was.

“Altemio Sanchez,” the uncle replied.

The detectives already had heard Sanchez’s name, from State Police Investigator Keats.

Sanchez was on two lists, one of local men arrested for patronizing a prostitute and the other of men with Hispanic surnames whom Amherst police had interviewed years ago.

So Rozansky turned to Patronik and mouthed the words, “That’s the name Josh [Keats] has.”

“That phone call was when Altemio Sanchez became the prime suspect,” Patronik said.

Five days later, Sanchez was behind bars.

Mounting evidence

The task force was created after authorities found a DNA match to the Bike Path Killer from a microscopic amount of sweat found in the ignition switch of Diver’s car.

Late last week, five task force members pieced together the main threads of the two-month probe ending in Sanchez’s arrest:

- In late November, an updated DNA profile by Dr. John P. Simich of the county Central Police Services Forensic Laboratory revealed a high probability that the serial rapist was Hispanic.

That led Keats and State Police program research specialist Betsy Schneider, working with Amherst detectives, to the discovery of between 60 and 80 men with Hispanic surnames, out of the couple of thousand men Amherst detectives had investigated in the past 20 years.

- Profilers also concluded that because one of the three murder victims, Majane Mazur, had been involved in prostitution, maybe the killer had a prostitution record. So Schneider, Keats and Buffalo Detective Lissa M. Redmond found the names of a couple of hundred men arrested for patronizing a prostitute in Erie County in the 1990s.

Only a handful of names were on both the Hispanic and prostitution lists. One name was Altemio Sanchez.

- In early December, FBI profilers concluded that because the first known bike path rape in June 1986 seemed so proficient and methodical, it probably wasn’t the rapist’s first attack.

That realization led detectives to refocus on earlier solved and unsolved rapes, with Buffalo Detectives Dennis A. Delano and Redmond bringing boxes of old files to the task force office on Oak Street. Capozzi’s file was in those boxes.

Step by step

On the right side of a large white erase-board, investigators wrote the methods, descriptions and crime-scene comments of the Bike Path Rapist.

On the left side, they wrote the corresponding information about earlier rapes, including the Delaware Park ones in the early- and mid-1980s.

“Oh, my God,” State Police Capt. Steven A. Nigrelli remembered saying, while studying the MOs of some of the earlier Buffalo rapes. “That’s our guy.”

Sheriff’s Sgt. Gregory Savage, who had worked in the Holding Center in the 1980s, remembered one of the prisoners, the convicted Delaware Park rapist — Capozzi.

But Capozzi — who had been convicted of two rapes from 1984 — was in prison during the later attacks. So how could he have been the Bike Path Rapist? Or was he innocent?

Detectives were all coming to the same conclusions, that the Bike Path Rapist had struck earlier than 1986 and that Capozzi wasn’t their guy.

After reading Capozzi’s file and talking with Caraballo — Sanchez’s uncle — detectives pursued various leads and cracked the case the week of Jan. 8.

That morning, Investigator Keats, aware that Sanchez had appeared on both the Hispanic and prostitution lists, went to his Cheektowaga home, the first of two attempts to see him. Sanchez wasn’t home either time.

Two days later, on Jan. 10, Caraballo phoned Rozansky and Patronik and provided them Sanchez’s name. Investigators chased down more leads the next few days:

- A reading of Amherst’s bike path files determined that Sanchez had been seen on or near the Ellicott Creek Trailway within a few days of the 1990 killing of Linda Yalem and on the day of another rape there.
- Detective Redmond found that Sanchez was charged in 1991 with patronizing a prostitute after being arrested in a white Pontiac Sunbird. The last time anyone saw Majane Mazur alive in 1992, she was getting into a white Pontiac Sunbird.
- Investigators, after learning that Sanchez had a suspended pistol permit, went to his home and seized the gun, but they couldn’t get a decent DNA swab off it.
- A check of employee time sheets at the then-American Brass Co. plant revealed that even though Sanchez had worked a lot of overtime there, he had not been working at the time of any of the attacks.
- A DNA swab of Caraballo’s brother showed “a familial tie” to the Bike Path Rapist.

Investigators kept Sanchez under surveillance, finally getting DNA samples off glassware he used at an Amherst restaurant on Saturday night, Jan. 13.

Sanchez's DNA was matched to the Bike Path Rapist's on Sunday, Jan. 14.

The next day, he was arrested.

Through that holiday weekend — Jan. 15 was Martin Luther King Day — one person worked countless hours to confirm the evidence against Sanchez: Simich of the forensic lab.

“That man doesn't get a lot of credit,” Keats said. “He is definitely an unsung hero. Everything we submitted to him, he put at the top of the list.”

Working together

Others singled out by task force members include Erie County prosecutors Frank A. Sedita III and Kenneth F. Case, for compiling the massive case against Sanchez, and Delano, for speaking out publicly in defense of Capozzi's innocence.

“He was the only guy willing to say what we all thought, that Anthony Capozzi was innocent,” one investigator said.

Task-force members included Nigrelli, Keats, Schneider and Investigator Christopher S. Weber from the State Police; Patronik, Rozansky, Savage and Deputy Gregory McCarthy from the Sheriff's Office; Detective Lt. Joseph A. LaCorte and Detective Edward J. Monan from Amherst; and Buffalo Detectives Delano and Redmond.

While longtime law enforcement observers are well aware of tensions that sometimes crop up among various police departments, by all accounts the 12 investigators worked well together here, each working his or her own piece of the puzzle.

“Not only did we have some of the best police officers in the area, but we had good people, and they worked so hard,” Keats said. “I've never seen anything like it in my short career.”

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