

## Pataki Broadens Probe Of Hevesi, Trial By Senate

BY JOHN TOSCANO

After a brief lull in Governor George Pataki's effort to remove state Comptroller Alan Hevesi from office, during which incoming Governor Eliot Spitzer said he intends to remove Hevesi, Pataki has stepped up his probe by giving his attorney in the case subpoena powers.

Following the two-week lull in the case, the governor signaled a more resolute pursuit of the embattled office holder from Forest Hills by creating a special Moreland Act Commission which will give attorney David Kelley power to subpoena witnesses and take testimony under oath.

The governor's action in strengthening Kelley's investigative powers appears to be laying the groundwork for Kelley to prosecute Hevesi before the state senate on charges he violated state law by having a state worker chauffeur the comptroller's wife for the past three years.

Earlier this month, Kelley, a former federal prosecutor, gave the governor a preliminary

report which concluded that Hevesi had broken the law.

At that time, Kelley did not recommend that the governor proceed to a state senate trial. Although Pataki issued statements indicating that he was ready to recommend a trial, he also seemed to contradict himself by saying he could make that decision only after the senate adopted rules of evidence and the procedure which would be necessary to conduct the senate trial.

Meanwhile, Senate Majority Leader Joseph Bruno insisted he could not initiate Hevesi's trial unless the governor made the first move.

Last week, Spitzer let it be known that if Pataki did not take steps to remove Hevesi, he would, as soon as he is sworn in as the new governor in January.

Prior to Kelley's examination of the evidence against Hevesi, and also before Hevesi was re-elected on November 7, the state Ethics Commission issued a very damning report saying Hevesi had broken the law by assigning a state worker to chauffeur his wife, Carol, to



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hospital and doctor visits.

In addition to Kelley's investigation, an Albany grand jury is hearing evidence from that county's district attorney which could also result in an indictment being brought against Hevesi.

If Hevesi feels a senate trial is imminent, he might resign. The Assembly and senate, voting together as a unit, could vote to remove him. This procedure could give control over selecting his successor to the Assembly because it has many more members than the senate.

## Weiner Joins Protest On Doorstep Of Nazi Guard

BY LIZ GOFF

Congressman Anthony Weiner (D-Queens, Brooklyn) grabbed a sign and joined a neighborhood protest in Jackson Heights November 9 outside the home of a former Nazi SS death camp guard who was stripped of his United States citizenship in 2003.

Jakiw Palij, 84, has not been deported because U.S. immigration officials can't find a country to take him. He was stripped of his citizenship after officials discovered he lied when he applied for an immigrant visa in 1949.

Weiner joined hundreds of high school students at the protest who demanded that Palij open his door and face them.

"No one is going to hide among us," Weiner said. "This monster is responsible for the deaths of thousands and thousands of people in the Nazi death camps. He is not paying for his crimes by living a peaceful life on 89th Street in Jackson Heights."

The protest marked the 68th anniversary of Kristallnacht, the "night of broken glass" that sparked riots in Nazi Germany and marked the start of Nazi terror against Jews.

Palij has repeatedly denied taking part in any persecution of Jews, and has denied any association with the Nazi death camps.

Officials at the U.S. Department of Justice said there is no evidence linking Palij to the Nazi atrocities, but acknowledged his position as a guard at the camps "sealed the fates of thousands and thousands of innocent victims".

Several of Palij's neighbors called on protestors to "leave him alone", saying the protest was "just wrong".

The neighbors described Palij as a good neighbor, a frail and elderly man who should be left alone to live out his life in his home.

"What they're doing is just wrong," said Phyllis Stratton, 46. "He's an old



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man. Everybody has the right to live their life. Maybe it's time to forgive and forget."

Protestors shouted to Palij that he is a "Nazi criminal" and called on German government officials to accept Palij's deportation and try him for war crimes.

Weiner said the world can never forget the Holocaust and the slaughter of Jews during the Nazi occupation of Europe.



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