

**COUNTY OF SUFFOLK
DISTRICT ATTORNEY'S OFFICE**



**THOMAS J. SPOTA
DISTRICT ATTORNEY**

March 14, 2011

Federal Appeals court denies hate crime defendant's petition

The United States Court of Appeals for the Second Circuit has issued a summary order affirming a federal district court's denial of Christopher Slavin's petition for a writ of habeas corpus. Oral argument on the petition took place last week in Manhattan.

Slavin and co-defendant Ryan Wagner were convicted of luring two Mexican day laborers to an abandoned building and then attacking them with a post-hole digger and a knife on September 17, 2000. The victims, Magdaleno Estrada and Israel Perez, suffered serious injuries.

Slavin's petition claimed the photographing of the tattoos and the use of the photos at trial violated his Fifth Amendment right against self-incrimination.

"The court agreed with our position that Slavin's tattoos were plainly not the product of government compulsion and therefore not a violation of the defendant's Fifth Amendment rights," District Attorney Spota said. "The tattoos of a swastika and other hate symbols were relevant to the defendant's motive and his state of mind."

Slavin was sentenced to 25 years to life in prison following his conviction on two counts of second-degree attempted murder, first-degree assault, second-degree assault and two counts of aggravated harassment. Wagner is serving a 15 year sentence.

BUILDING 77 • NORTH COUNTY COMPLEX • VETERANS MEMORIAL HIGHWAY • HAUPPAUGE NY 11788

TELEPHONE (631) 853-4118

Robert.Clifford@suffolkcountyny.gov

Defendants are innocent until proven guilty in a court of law.