



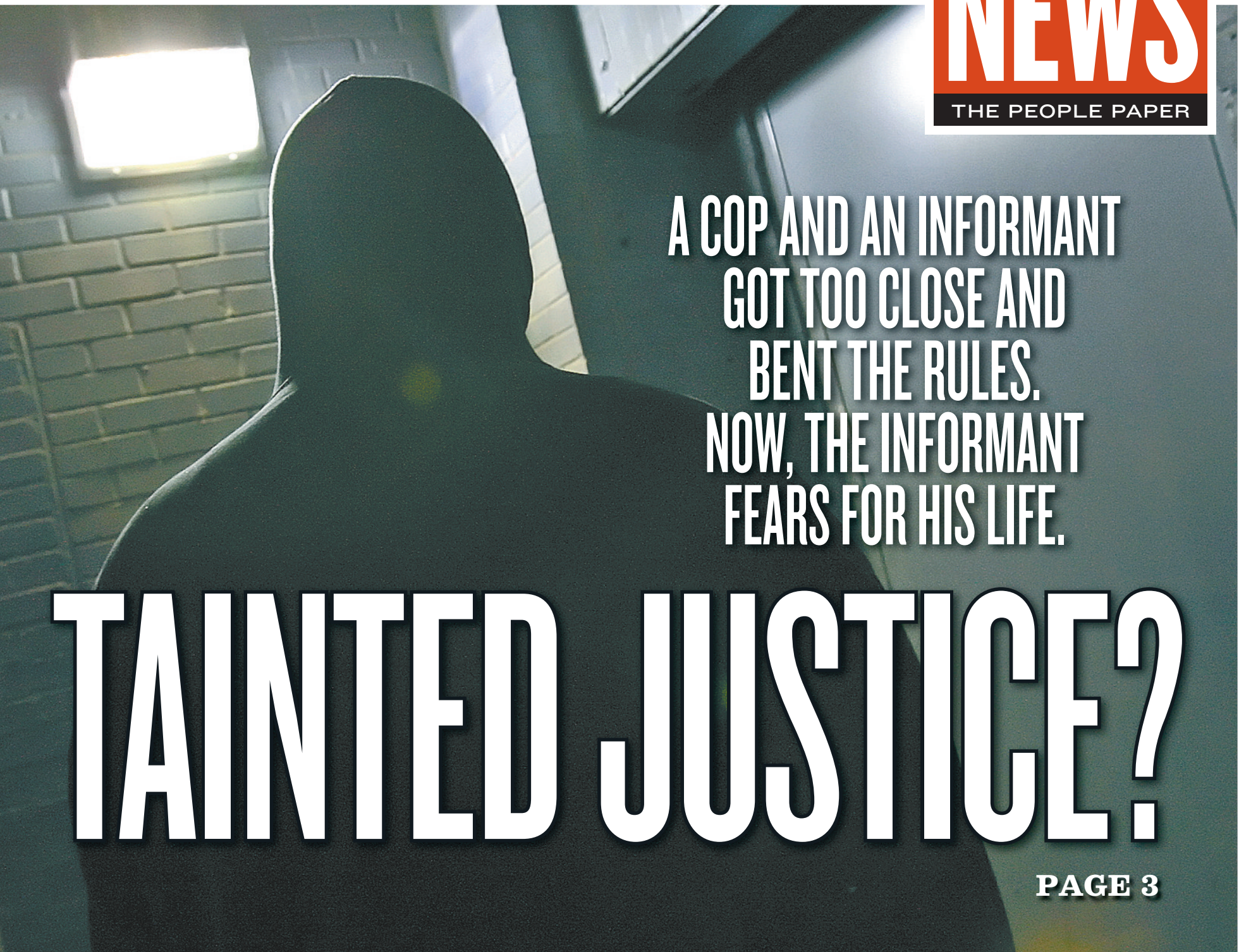
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**A COP AND AN INFORMANT
GOT TOO CLOSE AND
BENT THE RULES.
NOW, THE INFORMANT
FEARS FOR HIS LIFE.**

TAINTED JUSTICE?

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THE INFORMER, THE COP

& THE CONSPIRACY

Snitch says narc lied to jail alleged drug dealers. Did he?

By **BARBARA LAKER**
& **WENDY RUDERMAN**
lakerb@phillynews.com
215-854-5933

VENTURA MARTINEZ FEELS like he has a target on his back. On the city's toughest streets, where vengeance rules, drug dealers warn him that he's a dead man.

At home, Martinez peeks out windows and listens for sounds of a hit man, lurking in darkness, ready to pull the trigger. When outside, he darts his head from shoulder to shoulder, wondering if this is the day he'll get whacked.

"Going to work in the morning is hell," Martinez sobbed. "Coming home from work is hell. I'm thinking that somebody is gonna ... pop me from behind."

For seven years, Martinez has worked as one of the city's most productive police informants, bringing down more than 200 drug and gun dealers.

But Martinez now says that some of the police jobs were tainted, rooted in lies and motivated by power, greed and money. He says he admitted fabricating evidence to the FBI, the police Internal Affairs Bureau and the Police Advisory Commission. Martinez's admission could reopen and potentially overturn hundreds of cases, legal experts say.

Martinez, 47, claims that he and Officer Jeffrey Cujdik, a narcotics cop, lied about evidence in at least two dozen cases to gain illegal entry into homes and make arrests, for which Martinez got paid. Martinez says he did it for money, to bring down drug dealers, and because he and Cujdik were tight.

The Police Department pays confidential informants like Martinez for making drug buys or

providing information that leads to drug and gun arrests. Martinez alleges that he paid at least \$20,000 in informant cash to Cujdik for rent. Between Sept. 1, 2005, and Jan. 30 of this year, Cujdik rented a three-bedroom Kensington house to Martinez, his common-law wife and their two young children, according to court testimony and a lease agreement.

Cujdik, 34, leased his house to Martinez despite a police regulation that says relationships between an officer and an informant must remain professional and objective, and that no personal relationship should jeopardize the integrity of the department. The FBI and police Internal Affairs launched an investigation into Martinez's allegations. Chief Inspector Anthony DiLacqua, who confirmed the Internal Affairs probe, said Cujdik was placed on desk duty and his police-issued gun taken late last month. FBI officials declined comment.

In response to a list of questions from the *Daily News*, Cujdik's attorney, George Bochetto, wrote that the allegations against his client are based upon "a self-serving series of fictionalizations by professional liars, felons, and drug addicts." He added: "When the hard facts are put on the table, your story falls apart and your questions become empty vessels of naivete."

Court records show that Cujdik used Martinez to help arrest nearly 200 alleged drug dealers and take 127 guns off the street since 2003.

But the close tie between Martinez and Cujdik was severed in October after a drug dealer discovered Martinez's identity and learned that he lived in Cujdik's house.

Cujdik moved to evict Martinez and his family, leaving him nowhere to go and no money to relocate. As drug dealers called him a rat, leaving cheese at his front door, he turned to the *Daily News*, the FBI and Internal Affairs, in hopes of finding protection.

Ventura Martinez knows the drug world because he lived it. He started selling cocaine at 17 in West Kensington. "In a day I would make, like, \$500 in, like, two hours," he said.

He got busted for selling cocaine in 1994. Because he cooperated with the cops, he cut a deal — five years' probation and six years' house arrest.

Martinez, son of a cop and brother of a crack addict, said that he stayed clean for several years, working at an auto-detail shop. But, in February 2003, he lost his job and had no money to buy a birthday present for his 16-year-old daughter.

"I was, like, 'I'm tired of this. I'm going to go out and do what I got to do.'"

He started selling

See **INFORMANT**
Next Page

"This could reverse convictions and expunge criminal records." If evidence to gain access to a house is based on a lie, "the fruit of the tree is poisoned. You can't lie to get in a home. Not in America. Even if they were guilty and drugs were found in the house, we have to play by the rules."

— Dr. Lawrence Sherman, director of the Jerry Lee Center of Criminology, at the University of Pennsylvania



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marijuana, pocketing about \$800 a week. He worked about three months as a street-corner dealer when Cujdik and another narcotics officer drove up to A and Ontario streets.

"When he got out of the car, I already knew he was a cop," Martinez said. "I was like, 'Oh, snap.'"

The cops told him he was done. Then they made him an offer, Martinez said. He could get 25 years to life because he got caught selling while on probation.

Or he could work with the cops. He began his life as a confidential informant — CI #103 began.

He worked with Cujdik several times a week. "We built a relationship. We were tight," said Martinez, whose children called Cujdik "Uncle Jeff."

Cujdik, a 12-year veteran of the force, comes from a law-enforcement family.

His father is a retired Philly cop; his brother is a narcotics cop who is married to an assistant district attorney.

Cujdik is one of the most active officers on the force: He nearly doubled his \$55,389 salary in 2007, earning \$49,026 in overtime, city payroll records show. Most police officers earn overtime from time spent in court testifying.

"He's an outstanding police officer and I know him to be honorable and very diligent," said Cujdik's former supervisor, Lt. Joseph Bologna, who declined to comment about Martinez's allegations, saying, "I don't know anything about that, ma'am."

"He's an excellent police officer, a straight shooter, a hard worker, an all-around good guy," said Richard Eberhart, a former police officer who worked with Cujdik about four years before he left the department in 2006. Together, Eberhart and Cujdik own J&R Dunk Tank Rentals LLC, in Bensalem.

Eberhart, 39, said that he knew Martinez and considered him to be a reliable informant who provided accurate information. "He was Jeff's CI. . . . Jeff never complained about him."

Martinez said that he often gave Cujdik details about drug dealers, ticking off names, addresses and the drugs they sold. Other times, Cujdik took Martinez to unfamiliar homes in which police suspected drug dealing. There, Cujdik instructed Martin-

ez to make a drug buy. And when he did, Cujdik was able to get a search warrant for the house.

Martinez said that he quickly earned Cujdik's trust and respect. "I did things that [cops] couldn't do," he said. "For you to go into a home and buy straight from a drug dealer and have guns stuck in your face, thinking that you're a cop . . . it was dangerous."

"The adrenaline of actually being there and doing it," he said, "and then walking out, thinking, 'Man, I did this buy, I got these guys. They were supposed to be untouchable.'"

The Police Department, through Cujdik, paid Martinez cash for the jobs, generally \$100 for each gun, \$150 or \$200 for a big drug seizure, \$200 for a job involving both guns and drugs, Martinez said.

But starting in 2005, the line between right and wrong got blurry, Martinez alleged.

If Martinez couldn't score drugs out of a house because a drug dealer was leery of him, Cujdik sometimes told him to buy elsewhere, Martinez alleged. Then in the application for a search warrant, Cujdik would say that the drugs came from the house.

Legal experts say that the scenario, if true, would call into question dozens of drug cases.

"This could reverse convictions and expunge criminal records," said Dr. Lawrence Sherman, director of the Jerry Lee Center of Criminology at the University of Pennsylvania.

If evidence to gain access to a house is based on a lie, "the fruit of the tree is poisoned," Sherman said. "You can't lie to get in a home. Not in America. Even if they were guilty and drugs were found in the house, we have to play by the rules."

Martinez estimated that he and Cujdik fabricated drug buys in at least 24 cases. Martinez provided examples:

► In March 2005, Martinez knocked on the door of Caesar Marquez's home, on Howard Street near Cambria, in West Kensington, asking for "6 dope," the street term for heroin.

Marquez refused to sell, claiming that he didn't know what Martinez was talking about. So, according to Martinez, Cujdik asked him where he could buy heroin nearby.

Martinez knew about a house a block away, on Mutter Street between Cambria and Somerset,



YONG KIM / Staff photographer

Lawyer Stephen Patrizio (above), and his client, an alleged dealer, uncovered questionable search warrants and found Martinez living in a house that Cujdik owned.

and bought heroin there. The police report in the case says that CI #103 (Martinez) bought six packets of heroin from Marquez on Howard Street and "walked directly" back to Cujdik's car.

The court granted a search warrant and cops seized three bundles of heroin and six clear plastic baggies of cocaine. Marquez, 23, is serving a two- to four-year sentence.

► In October 2006, Martinez told Cujdik that he couldn't make a drug buy from a home on Lycoming Street near 7th, in Hunting Park, because he knew the homeowners.

Cujdik instructed Martinez to buy a \$20 bag from a local bar that had been raided in the past for drug sales, Martinez alleged.

In the application for the search warrant, however, Cujdik wrote that police watched Martinez buy the \$20 bag from the home of Hector Soto.

Cujdik led a raid in which police found 16 grams of cocaine in Soto's bedroom. Soto, 61, pleaded guilty to selling cocaine and is serving one to eight years in state prison.

"He knew something funny was going on," said Soto's wife, Lucy, in a recent interview.

Her husband suspected that he had been set up, but didn't know what happened, she said.

► In October 2008, Cujdik asked Martinez to make a buy from the

house of an alleged heroin dealer, Nelson Carrasquillo.

Martinez told Cujdik that he knew Carrasquillo and didn't want to make a buy. Carrasquillo lived with his sister on Arbor Street, off Allegheny Avenue, in Kensington. Martinez knew him as "Po-Po," and claimed that he stored heroin in the basement.

So Martinez purchased a \$130 bundle of heroin at E and Ontario, instead of from Carrasquillo.

The application for a search warrant filed by Cujdik says that on Oct. 28, 2008, police watched Martinez go inside Carrasquillo's house and leave with roughly .36 grams of heroin.

The next day, Cujdik raided Carrasquillo's house and found several bundles of heroin, the search warrant says.

Carrasquillo, 22, is in jail awaiting a court hearing on drug charges. His attorney, Guy Sciolla, declined to comment.

Carrasquillo's sister, who asked that her name not be used, said that her brother told her that the cops made things up. "I believe him," she said recently.

Martinez said that he regrets turning on his friends.

"I feel like I betrayed a lot of people," he said. "There's actually people sitting in jail because of me."

Martinez said that he knew it was wrong, but claimed that Cujdik rationalized it. "He said it

doesn't matter how we do it, . . . as long as we find something in there," Martinez said.

Besides, Martinez reasoned, the informant money enabled him to pay Cujdik rent.

Martinez moved into Cujdik's rental house in September 2005, according to a lease agreement that listed the rent amount as \$300 a month.

Bochetto, Cujdik's attorney, said that the lease lists one tenant: Sonia Naome Durecut. Martinez has lived with Durecut since 2003. They share two children, and he refers to her as his "common-law wife."

"Everything was under my name, but I personally never dealt with [Cujdik]," Durecut said.

And Cujdik signed a document, submitted by Durecut to the state Department of Public Welfare, listing Martinez as a "household member" and Durecut's "husband." The document, obtained by the *Daily News*, is dated Oct. 22, 2008.

Eberhart, the former police officer, said he knew that Cujdik rented a home to Martinez. Eberhart said he had been in the house "half a dozen" times.

"That was his business," Eberhart said. "It was up to him. Would I have done that? Prob-



ALEJANDRO A. ALVAREZ / Staff photographer

The husband of Lucy Soto (above and right) is in Camp Hill State Prison, busted by Cujdik and Martinez.

INFORMANT

Continued from Page 4

ably not, but who am I to judge?"

"I thought he [Cujdik] was helping him out," he said. "It didn't seem inappropriate at the time, but looking back, maybe it was."

Cujdik initially told Martinez that the rent was \$300 a month, but immediately upped it to \$700, Martinez said.

Martinez told him he couldn't afford it.

"He said, 'Listen, don't worry about it. You're going to work with us. You're gonna pay me through that,'" Martinez said.

And if informant payments weren't enough to cover the rent, Cujdik had another idea to make up the difference, Martinez said.

Cujdik told Martinez that he would feed him tips to call the Police Department's Gun Recovery and Reward Information Program, known as GRRIP, which provides cash for anonymous tips that lead to the recovery of illegal guns, Martinez claimed.

If a tip proves legit, a member of the Citizens Crime Commission of the Delaware Valley, an organization that administers GRRIP, arranges to meet the tipster on a street corner with a cash-filled envelope.

In July 2006, Martinez told Cujdik about two brothers who allegedly stored drugs and guns in their Frankford homes. Cujdik obtained search warrants for both homes and police seized 60 rifles and handguns.

Martinez said that he expected the Police Department to pay him \$6,000, or \$100 for each gun. But Cujdik initially gave him only \$2,500. Later, Cujdik took back \$2,000 for "rent money," Martinez alleged.

Durecut, who was seated on the couch at the time, said that she was surprised as she watched Cujdik count out the money and return \$500 to her husband.

"He said he was keeping the rest for rent," Durecut said. "We thought it was gonna be for upcoming months' rent, but it wasn't."

Cujdik returned the following month, looking for his \$700, Durecut said.

Martinez had hoped to get additional money from the Crime Commission for the 60 guns. But when he met up with the GRRIP representative, only \$500 was in

the envelope. He called Cujdik to complain.

Martinez said that two cops pulled up in a car while he was talking to Cujdik on his cell phone.

"I said, 'Jeff, these two officers just pulled up.' He said, 'Shut the phone off. Shut the phone off,'" Martinez said.

The cops took him to Internal Affairs, where three officers, including then-bureau Chief Inspector William Colarulo, grilled him about his relationship to Cujdik, Martinez said.

"They asked me, 'Out of all the GRRIPs you call up, does Jeff get a cut out of this?'" Martinez said. "I was like, 'No. No. No.' I denied everything."

According to Martinez, Colarulo told him that he couldn't "double dip," or get money for gun seizures through the Police Department and through GRRIP.

"Anything that happened when I was in Internal Affairs is confi-



dential," Colarulo said recently. "I can't comment one way or another."

Martinez said that he returned the \$500 in GRRIP money.

Four months later, in November 2006, Martinez and Cujdik made a case against a drug dealer that eventually would sever their close bond.

An informant twice purchased marijuana from Raul Nieves, 30, according to the police report.

Based on these buys, police obtained a search warrant and raided two homes and an SUV in North Philly associated with Nieves and his father, and recovered marijuana and packets of cocaine, crack cocaine and drug paraphernalia.

Nieves hired Center City attorney Stephen Patrizio and told him that there was no second drug buy.

Through Patrizio, Nieves hired a private investigator to review all search warrants involving Cujdik and "CI #103."

The search warrants "were so similar it just smelled," Patrizio said. "They were more like canned search warrants."

Patrizio was denied a request to know CI #103's identity.

So the private investigator found him — leaving a home owned by Cujdik. The investigator snapped photos of him walking down the front steps.

"We realized then there was way too much going on here," Patrizio said.

At an October 2008 hearing in which Patrizio asked to subpoena CI #103, Patrizio said, he put Cujdik on the stand and asked him about the informant.

Patrizio showed him the photo that the investigator had taken.

"You recognize the house that the informant is coming out of, correct?" Patrizio asked, according to the court transcript.

The prosecutor objected. Patrizio asked him to identify the house.

"I own that house," Cujdik testified.

Patrizio asked again for Cujdik to confirm that the man was CI #103.

Again, the prosecutor objected.

But Patrizio was permitted to subpoena Martinez.

The investigator served Martinez with the subpoena at an auto-detailing shop where he worked. His stomach lurched when he saw that the document listed his name and address.

Rattled and frightened, Martinez called Cujdik, telling him that the subpoena listed his home address. "He said, 'Don't talk on the phone. Don't talk on the phone,'" Martinez said.

The next day, Martinez lost his job. The owners of the auto-detailing shop knew Nieves and didn't want a "snitch" working for them, according to Martinez. A few days later, Martinez came home after job-hunting to see a for-sale sign outside the house.

He called Cujdik, who told him he had to move out. He was selling the house.

"You gotta leave out of the house because I don't want Internal Affairs to find out that you're living there," Martinez said that Cujdik told him. "If they find out that you are living there, the conflict of interest alone is gonna kill me."

Nieves pleaded guilty to possession with the intent to deliver a controlled substance. All other charges were dropped. His recommended sentence is 11½ to 23 months, with credit for time served, and two years probation.

With their relationship exposed, Cujdik moved to cut ties with Martinez.

On Dec. 4, Cujdik deactivated Martinez as a confidential informant, said Inspector Bob Snyder of the Narcotics Field Unit.

Five days later, he filed papers to evict Martinez and his family from the house he rented to them.

They met in Courtroom B of Landlord-Tenant Court on Jan. 6. Timothy Thompson, a detective with Internal Affairs, sat in the back of the courtroom. When asked later by a reporter why he was there, he declined to comment.

Martinez told Judge Bradley K. Moss that he was Cujdik's CI. Turning to Cujdik, Martinez said, in a quivering voice, "You were a good friend to me, man."

Moss said Martinez needed to pay Cujdik \$1,612 in total — \$1,200 in rent, \$350 in attorney fees and \$62 for nonpayment.

Outside the courtroom, Cujdik said he was puzzled why a reporter was taking notes. "I'm Jeff Cujdik, the landlord," he said. "I'm not here as a police officer."

He said that he was evicting them because they didn't pay rent. "They haven't paid rent in months ... I'm just going through the eviction process."

Last month, Cujdik apparently had a change of heart. Martinez said Cujdik called him and said, "Look, find a place and I'll pay for it." Later Cujdik went to the house he rents to Martinez and handed Durecut \$1,000 in cash and a letter for her to sign.

"I'm giving you \$1,000 cash to vacate the property. ... By accepting this \$1,000 you agree to vacate ... by no later than January 31," Cujdik wrote in a Jan. 23 letter he signed.

Bochetto his client was advised by a "landlord-tenant specialist" to pay Durecut to leave "rather than incur the lengthy delay and considerable expense involved in a forcible eviction."

Martinez, Bochetto wrote, has "an obvious ax to grind ... because he lost his position as an informant."

Martinez moved his family to a one-bedroom apartment on Jan. 30. "I can't take this anymore. I'm really scared," Martinez said. "I just want this to be over." ★