

COURTS

Convict now awaiting life-or-death decision

■ Defense psychologists try to convince jurors that the Miami man who hired a hit man to kill a federal informant doesn't deserve the death penalty.

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A former high school soccer star who was convicted of ordering a hit on a government informant may learn today whether he will be the first person in Florida sent to the federal death chamber.

The rare death-penalty question has only gone before Florida federal juries in five prior cases. Each time, the juries opted for life sentences.

On Monday, attorneys, psychologists and social workers portrayed Luis Gonzalez Lauzan Jr. as a charitable, gentle soul who was a marijuana-smoking adherent of the Rastafarian religion — and the victim of a lifetime of emotional, physical and mental

abuse at the hands of a racist, domineering father.

On cross-examination, prosecutor Frank Tamen got the experts to admit that Gonzalez never was hospitalized, never reported any abuse, has no scars and never had a teacher, doctor or caregiver report any abuse.

REPLAYED CONFESSION

Tamen closed Monday's hearing by replaying a 25-minute tape of Gonzalez's September 2002 confession where he told detectives and federal agents that he urged a Jackson High buddy to "punish" Alexander Texidor.

Gonzalez was convicted earlier this month on charges of ordering the murder of Texidor, who was busted by the U.S. Bureau of Alcohol, Tobacco and Firearms and then decided to inform on Gonzalez's father and other gunrunners.

Defense attorney Bruce

Fleisher argued a death sentence for Gonzalez is not warranted because the triggerman and an accomplice who located Texidor's Hialeah apartment were given life sentences in return for their cooperation.

Texidor was cooperating with ATF agents on three separate cases when he was murdered in his Hialeah apartment on Jan. 28, 2002 — three weeks after Luis Gonzalez Sr. was arrested on gun-trafficking charges. The elder Gonzalez was sentenced to three years for filing the serial numbers off handguns and shipping them to Honduras.

The younger Gonzalez has told many psychologists and social workers he never intended for gunman James Wiggins to kill Texidor — just scare him.

Wiggins, who owed a steep drug debt to friends of the younger Gonzalez, testified he was under the influence of

alcohol and drugs when he shot Texidor.

FATHER'S 'INFLUENCE'

Fleisher pointed out that the elder Gonzalez called his son two to three times a day from the federal jail, repeatedly urging him to retaliate against Texidor.

"Would we be here today were it not for his father's influence?" Fleisher asked psychotherapist Olga Hervis.

"Absolutely not," replied Hervis, who examined the entire family, including the father, now at the Federal Detention Center in downtown Miami.

Closing arguments are set for 8:30 a.m., followed by jury instructions from U.S. District Judge James I. Cohn.

Unlike state courts where juries recommend but judges make the final call, federal judges cannot overrule a jury's decision for death or life in prison.