

COP TESTIFIES FOR ACCUSED DAD

At pretrial hearing for father charged with shaking son to death, detective says the man insisted he didn't do it

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Julio Rivera acknowledged that he made a big mistake by smoking PCP-laced marijuana in front of his infant son, Eric, but he insisted he never did anything to harm him intentionally, a Suffolk detective testified yesterday in the pretrial hearing of a Brentwood man accused of shaking the child to death.

"He said that Eric was beautiful and he was perfect," said homicide Det. Ronald Tavares. "He said it was like buying a brand new car and damaging it on purpose."

Tavares testified for Rivera, who is accused of murder.

Prosecutors say Rivera shook the 5-month-old child to death in March 2006 and blew PCP smoke into his mouth.

Eric's mother, Cynthia Morales, 25, also of Brentwood, has pleaded guilty to second-degree manslaughter for doing nothing as police say her boyfriend, Rivera, abused and eventually killed their child. She faces a maximum of 5 to 15 years in prison.

Rivera's attorney, Michael Brown of Central Islip, said Morales is more likely to have killed the baby because she was usually taking care of him. Brown said prosecutors have accused his client of the murder because of his previous criminal convictions and admitted drug use. "He makes the better murderer," Brown said.

In court yesterday, detectives recalled interviewing Rivera, 26, hours after he said he discovered his son "lifeless" in the back of his car on March 31.

"He described his son as having his eyes open and that he wasn't moving and that his skin was turning a blue color," Det. John McLeer testified.

Eric was pronounced dead later that night. McLeer said Rivera's only explanation for the bleeding in his son's brain was that he fell off a couch at a friend's house during a trip to Virginia days earlier, but "seemed fine."

Tavares said Rivera, when interviewed again three months later, finally admitted that he “--- up” and had smoked PCP-laced marijuana near his child on as many as five occasions. He still insisted he did not shake him and didn’t know why his son died.

It was only after detectives finished taking a written statement from Rivera that he told them that he had seen Morales shake their son more than once, Tavares said. Morales has denied that.