

DRIVER: I TOLD HIM NOT TO, BUT TEEN SAYS FRIEND IN BACK SEAT IGNORED HIS WARNING AND THREW TURKEY AT A CAR; 4 OF 6 CHARGED ARE ARRAIGNED

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In the silver 2000 Nissan Altima, the music was blaring. In the front seat, Rachel MacDonald was telling her boyfriend Jack Cutrone to slow down as he rolled east on Portion Road in Ronkonkoma. In the back, 18-year-old Ryan Cushing was moving from one side of the car to the other, a 20-pound turkey resting in his lap.

Traveling toward them from the east in a Hyundai that Nov. 13 were Victoria Ruvolo and Louis Erali, heading home from a singing recital by Ruvolo's 14-year-old niece.

The two cars would have passed without event on that rainy night, but for what police said was a fateful decision by Cushing: They said he threw the 20-pound turkey toward Ruvolo's car and it smashed through her windshield, leaving Ruvolo in critical condition.

The accounts of that night were provided by Erali, lawyers in the case and a detailed statement given to police by Cutrone.

Cushing, MacDonald and two other teens who police said took part in the wild night, which started with a stolen credit card, were arraigned in Riverhead yesterday before Suffolk County Court Judge James Hudson.

All pleaded not guilty and were released pending the transfer of bail from District Court. Cutrone and Amanda McDonald, 17, of Selden, who were initially charged in the case, were not indicted this week, and may serve as witnesses for the prosecution, defense lawyers said.

"This is a parent's worst nightmare," said Patrick O'Connell, of Commack, a lawyer for Steven Manzolina, 17, of Selden, who allegedly took part in stealing the credit card. "It's a lesson that stupid decisions by young people can lead to tragic results." O'Connell said his client's main concern now is for the victim.

Cushing's lawyer, William Keahon, would not comment on details of that

night, but said Cutrone's account of the events is false. "The word 'truth' is not in Mr. Cutrone's vocabulary and he is responsible for the tragedy that occurred to this young woman," he said.

Cutrone's lawyer, Steven Taitz, of Patchogue, could not be reached for comment yesterday.

According to police, the romp started when Manzolina swiped a MasterCard from a car at the Island 16 multiplex in Holtsville.

He and some of the other teens then met up with a group of friends, including MacDonald, 17, of Centereach, and Cutrone, 18, of Selden, according to Cutrone's statement, which was detailed by O'Connell. From there, the group set out on a shopping spree, according to the statement. They stopped at two Blockbuster video stores, buying video games, movies, popcorn and magazines. Police said they ran up nearly \$400 at the two stores.

MacDonald and Cutrone did not know the credit card they were using was stolen, according to Michael Brown, a lawyer for MacDonald, and Cutrone's statement. They thought it belonged to Cushing's mother.

Brown said such behavior was not unusual for Cushing, of Huntington, who had picked up the tab for the group in the past.

"He bought things for them from time to time," Brown said. "He'd bought them dinner, and that sort of thing."

Brown said Cushing asked his client to sign the credit card slip in some cases, saying that since there was a woman's name on the card, it would be easier if a woman signed for it.

From Blockbuster in Lake Ronkonkoma, the group headed across the street to a Waldbaum's store on Portion Road, according to police and Cutrone's statement. There they bought snacks, including cookies, juice, spaghetti and shrimp. Cutrone also said Cushing picked out "the biggest turkey I ever saw."

Meanwhile, Victoria Ruvolo, 44, a collections agent from Lake Ronkonkoma, spent the evening with her friend of 20 years, Louis Erali, 40. The two had gone to see Ruvolo's niece, the 14-year-old daughter of her sister, Jo-Marie Brennan, perform two songs at an event where kids were performing at a local club.

"We were both excited about it," said Erali, who is separated from another niece of Ruvolo's. "Her singing was beautiful. It was the only beautiful thing about that night." After congratulating the young girl, the two got into Ruvolo's car.

"It was a rainy night, and it was dangerous out, so we were heading home," Erali said.

After the teenagers left the Waldbaum's, where police said they rung up \$172 in groceries, Cutrone, MacDonald and Cushing started east down Portion Road. The rest of the teens piled into two other cars, police said.

Cutrone said in his statement that he noticed Cushing moving from side to side in the back seat of the car. He asked Cushing what he was doing and Cushing said he was going to throw the turkey at a car, according to Cutrone's statement.

"I told him if he did that he would have a problem with me," Cutrone said in his statement. "I told him he could seriously hurt somebody. He said something like 'If I throw it at the door, it won't hurt nobody.'"

The music blasted and MacDonald told Cutrone that he was driving too fast. The next thing Cutrone knew, he felt the car rock. Cutrone looked back and saw Cushing hanging out of the car. In the distance, he saw the Hyundai pulling off the road.

Police said Erali helped steer the car off the road after his friend's face was smashed by the 20-pound bird. Erali said he was asked by prosecutors not to discuss the incident.

"I asked Ryan what he did," Cutrone said in his statement. "He said he threw the turkey."

Cutrone said in his statement that he pulled off the road and "smacked" Cushing in the head. But he did not turn back to help Ruvolo.

"I should have gone to check on the lady, but I got back on the road ..." Cutrone said. "I am infuriated that this happened. The lady didn't deserve to have a turkey thrown through her windshield."

Ruvolo is now in stable condition at St. Charles Hospital in Port Jefferson. She is working with doctors and therapists to relearn basic skills, such as walking.

Cushing was arraigned on charges of first-degree assault, first-degree reckless endangerment, criminal mischief, possession of stolen property and three counts of forgery. MacDonald was arraigned on charges of criminal possession of stolen property and three counts of forgery. Manzolina was arraigned on charges of fourth-degree grand larceny and fourth-degree criminal possession of stolen property. Michael Hasbrouck, 18, of Selden, was arraigned on charges of fourth-degree grand larceny and fourth-degree criminal possession of stolen property.

"I want my friend back, and I'm going to get her back, and I'm going to be by her side until then," Erali said. "This has been a nightmare."