

Disputed confession focus of rape case

Last week's arrest for the rape of a patient at the Staten Island Developmental Center (SIDC) came after the suspect confessed to the crime in a tape-recorded conversation, an SIDC official said.

But the Legal Aid attorney representing Robert Bennett, 53, a maintenance worker at the developmental center and a former SIDC patient, has questioned just how valuable a confession would be from a for-

mer patient of the institution for mentally retarded.

The attorney, Joseph Lasky, also said yesterday that since the supposed confession was given to police without the presence of an attorney, he also questions how Bennett could have given a "knowledgeable" waiver of his "Miranda" rights to remain silent during questioning.

The case against Bennett is due to resume Tuesday in Criminal Court, Stapleton.

In the meantime, Bennett has been released in the custody of a Roman Catholic priest assigned to the SIDC. The priest told Criminal Court Judge Alan Meyer that he has known Bennett for the last 19 years. Bennett was arrested a week ago today and charged with first-degree sexual abuse in the case.

The victim was a 31-year-old quadriplegic who is profoundly retarded and mute. The woman was apparently raped last May in Building 25 at SIDC.

The attack was not discovered until November, when the woman was found to be seven months pregnant. She gave birth in January to a healthy boy.

Hugh Clark, an SIDC legal advisor and program investigator, said his office began to question

Bennett two days before his arrest after another employee saw Bennett in Building 25.

Because Bennett was assigned to another area of the campus, the employee made inquiries and discovered that Bennett was frequently in Building 25 to visit a co-worker, Clark said. This information was passed on to Clark, who said it was the first time that Bennett came to the attention of investigators.

After receiving the tip, Clark called Bennett in for questioning and suspicions were raised enough that Bennett was immediately put on administrative leave, Clark said. That was a week ago Monday. On Wednesday, Bennett was arrested by Detective Catherine Bertolino of the Staten Island Crimes Against Persons Squad.