

Not just acquitted but "innocent"

Verdict is not guilty in airport baggage case

Bridget Wingert

Victor Soler of Doylestown, accused of stealing on Nov. 4, 2010, was acquitted by a Philadelphia judge Jan. 5, more than a year after he was arrested.

He lost his job at American Airlines' Philadelphia International Airport Terminal A and he lost a year of his life as he insisted he was innocent.

"Innocent," his Philadelphia attorney, A. Charles Peruto says, not just acquitted, not only "not guilty," but innocent. That's a tall statement from a "Super Lawyer," known for his defense successes in notorious criminal trials.

"They're all not guilty," Peruto says, but in 30 years of practice he has seen few really "innocent" defendants.

Inured by past experience, Peruto was not convinced Soler was innocent – he was like the rest – until Soler came to his final trial. Given chances to plead guilty, the strong-willed Soler insisted he must go to trial to prove his innocence and he refused to go to trial



Victor Soler was acquitted at a trial in January.

with three other defendants.

"Everything Victor told me was true," Peruto said in his Center City office a few weeks after the trial. The District Attorney's office supplied about a hundred videotapes shot during police surveillance at the airport's baggage handling area.

Peruto gave the job of viewing the tapes to an associate Mark

Heinrichs. The assistant said there was nothing to show Soler taking objects from baggage handling area at the airport.

Certain there had to be some evidence of Soler's guilt, Peruto watched the tapes himself. Very dull, he said, about 10 hours watching four men in the baggage area. In the videos, three workers are opening luggage and taking items like jewelry and electronics, one even wielding a hammer to open containers.

All the while, Victor Soler is working, loading bags for the luggage carousel.

"These can't be the tapes," Peruto said, but those tapes were the only evidence used to implicate Soler. They failed to show Soler doing anything of a criminal nature.

In the end, Municipal Judge Bradley K. Moss agreed. He said that Soler's "mere presence" was not a crime in itself. "Not guilty," the judge decreed.

Soler's jobs at the airport varied – assignments in the Fleet Service

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Doylestown man acquitted

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were made for months at a time — but mostly, he was assigned to night shifts, moving planes or guiding them in and out of the parking areas. Handling baggage was an unusual assignment for him. It happened to be during the time the police surveillance was taking place.

Soler knew of the stealing by co-workers and had reported it to management and union officials but nothing had been done. He believes he was purposely assigned so that he would be taped in the surveillance and charged.

He was charged with theft, and conspiracy because police said he was acting as a lookout, keeping luggage flowing and watching for supervisors. Soler said later, a look-

out was not necessary because supervisors didn't go into the baggage area.

Soler, married and the father of three daughters, and brother in a large family, had to endure embarrassment in his neighborhood and the continuing uncertainty about his future.

"It's an American tragedy," Peruto said, "an employee of a large company, no rich parents, a working man, working shifts with his wife so one could be home with their children day and night."

Peruto is preparing now for a civil suit against the City of Philadelphia for employing police officers who made an arrest with no evidence, and American Airlines for recommending prosecution.