

## *Expert on Dialects Deciphers Dilemma of Accused Airline Employee*

# His Acquittal Is a Matter of Sound Judgment

By ROBERT SCHWARTZ, *Times Staff Writer*

He was arrested, fired from his job, forced into thousands of dollars of debt and jailed for nine months because his thick East Coast accent was mistaken for the voice of a persistent bomb threat caller.

He was cleared of the charges only after an expert in English dialects, using tapes of the two voices saying "a bomb is going off," disarmed the prosecution and astonished the judge by proving that the voices could not have come from the same person.

The bomb threat caller was clearly from the Boston area, the linguistics professor said, while the defendant had a distinct New York accent.

### Pressing His Claims

Paul Prinzivalli, a native of Long Island, is now fighting to reclaim his job at Pan American World Airways.

Prinzivalli, 39, was arrested Feb. 16, 1984, while on duty at Pan Am's cargo warehouse at Los Angeles International Airport, and charged by the Los Angeles County district attorney with making a series of false bomb threats to Pan Am flights. Company officials and police believed after listening to tapes of the bomb threats that the "East Coast voice" of the caller belonged to Prinzivalli.

In May, after having spent nine months and seven days

in county jail while awaiting trial, Prinzivalli was acquitted—largely, the judge and the prosecutor say, because of the extraordinary testimony of Prof. William Labov, a sociolinguist from the University of Pennsylvania.

Labov was able to discern fine differences between the two voices and demonstrate that the bomb threat calls were made by a man with a Boston accent, and could not have been made by Prinzivalli.

Now, Prinzivalli wants his job back, along with about \$30,000 in back pay.

But Pan Am says he is not entitled to lost wages, and it will only rehire him if he agrees not to sue the airline for damages.

Prinzivalli, a stocky cargo handler and self-described malcontent, says that is an offer he cannot accept.

"I don't think I could go back and live with myself if I let them off the hook like that," said Prinzivalli, the grandson of Sicilian immigrants. "What they're doing is like sticking a knife in me and then asking me if I want a Band-Aid. Maybe it should be enough, but it isn't."

Pan Am officials argue that the company was the victim, not the perpetrator, of a crime, and if a mistake was made in arresting Prinzivalli, then it was the district attorney's

fault—not theirs.

In his attorney's Westside offices, a nervous and sometimes teary Prinzivalli retold his bureaucratic nightmare, which has left him with a bitterness "that will always be there."

His ordeal began in October, 1983, when Pan Am received the first phone call saying there was a bomb on a flight to the South Pacific.

About 25 calls came in over the next five months, all apparently from the same man, and always forcing Pan Am to unload the same flight, one of its big moneymakers.

For that reason, says Deputy Dist. Atty. James Baker, who prosecuted the case, investigators suspected that it was an inside job.

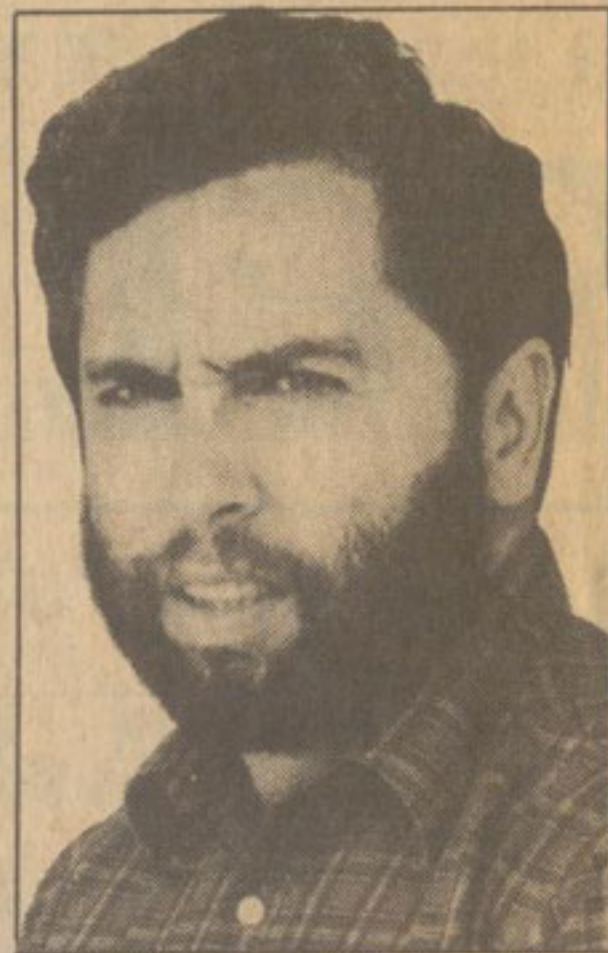
### Tape Recording Used

When company officials and investigators heard an "East Coast, New York-type accent" on snippets of the threats recorded by reservations clerks, "someone in cargo said 'Hey, that's Prinzivalli,'" Baker said.

Prinzivalli lived in Elmont, Long Island, for 27 years.

A tape of Prinzivalli's voice was prepared by detectives, who then asked several Pan Am employees if they thought

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Los Angeles Times

### Paul Prinzivalli

**'I don't think I could go back and live with myself if I let them off the hook like that.'**

# JUDGMENT: Testimony Deciphers Dilemma

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the voices were the same.

"I hate to think that we went after him just because he had an Eastern accent," Baker said after the trial. "But maybe anyone with an Eastern accent would've sounded like the bomb threat caller to us because we're from the West Coast, and can't really tell them (East Coast accents) apart."

Other company employees who had worked closely with Prinzivalli—including a woman who had been Prinzivalli's direct supervisor—told investigators that the bomb threat voice was not his.

"Inflection, accent, tone, depth, pronunciation, timbre," said Linda Deschaine, when asked how Prinzivalli's voice differed from the caller's.

Prinzivalli was arrested in February, however, on the strength of the tapes and some evidence regarding motive provided by employees who described their colleague as a loner who had a beef with the company, and who had sworn "to get back at Pan Am."

Prinzivalli admits he was unhappy with his job assignment at the time of the bomb threats, but said his vow to get even with the company meant only that he would call in sick, and he says he never did carry it out. "I had 45 to 50 sick days coming, but I never abused them," said Prinzivalli, who had 16 years seniority with the company.

Deschaine, his former supervisor, confirmed that Prinzivalli was a discontented loner, but she said she never had cause to officially reprimand him. "We've had better employees, and we've had worse," she said in an interview.

Upon his arraignment, Prinzivalli was able to post \$20,000 bail, but when the bomb threats continued in April, he was arrested again, and held on \$50,000 bail in the Los

Angeles County Jail.

There he remained until January, when his bail was lowered to \$10,000. Prosecutors had offered him a plea bargain in June—time served and five years' probation for a guilty plea on the first three counts. Prinzivalli refused, although he knew he faced a possible six to eight years in prison if found guilty at his trial.

"I told my lawyer to let them throw the book at me," Prinzivalli said.

"When they refuse (to plea bargain), that's sometimes a good indication that they're innocent," Baker said.

Interviewed last week, Superior Court Judge Gordon Ringer said that, based on the subjective comparisons of the two tapes and on motive evidence presented at the preliminary hearing, it would have been difficult for him to find Prinzivalli not guilty.

But at the non-jury trial before Ringer, Prinzivalli's lawyer, Ronald A. Ziff, called a new witness to the stand—Labov.

And in what Ringer describes as "fascinating, decisive" testimony that hushed the courtroom, Labov—with the aid of a small Swiss loudspeaker that has near-perfect clarity—demonstrated exactly how the two voices differed, and why they could not have come from the same person.

"Every single sound the bomb threat caller used fit into the eastern New England pattern," explained Labov, who in 1966 authored "The Social Stratification of English in New York City."

"All of the defendant's sounds fit into the New York City pattern. From the first time I heard the tapes, it was evident to me—and to colleagues and ordinary people who heard them back East—that the voices came from two different people."

Labov's analysis did not rely on a simple aural comparison of the sound of the two voices, but rather on a categorization and typology of vowel sounds, or phonemes, according to the science of dialect geography, which has been developed over the last four decades.

"When we're young we use an organization of sounds—phonemes—into which all our words go," the Columbia-trained sociolinguist said in an interview. "As a person grows up, the sound (of his voice) will change, but not the organization of the phonemes."

"It was the 'ah's' and the 'oh's' that did it," said Ringer, who at one point in Labov's testimony said the bomb threat caller's pronunciation of the phrase 'nuclear bomb' "sounds like Bobby Kennedy."

"We were stunned," said Baker. "The man was so good—I tried to cross-examine him, but there was nothing I could catch him on."

Prinzivalli, who lives with his brother and sister in Ontario, must now go through a union grievance hearing and possible arbitration that will determine what benefits, if any, he is entitled to from Pan Am. According to Sam Chandiramani, Teamsters Local 2707 business representative, the company had the right to fire Prinzivalli only if it had sufficient cause to believe he was making the calls.

"What the company did was wrong," says Chandiramani, "but I've seen unfair termination hearings go either way. If you ask me, he's entitled to everything."

Prinzivalli says he will play out his options one at a time, and will take the company to court if necessary.

"If there was ever anything I had to do in my lifetime, it is to defend this little piece of land I'm standing on," said Prinzivalli. "What else do I have?"