A federal grand jury yesterday indicted three South Bay men on charges of violating the civil rights of a Jewish pawn shop owner who authorities said was the victim of a long-running telephone hate campaign.

All three men also were indicted for alleged wire fraud that FBI agents uncovered while investigating the civil rights case, said FBI spokesman Ronald Orrantia.

Michael Dennis Danko, 22, Jeffrey Alan Myrick, 21, and Brett Alan Penkauskis, 22, were indicted in connection with phone calls made to 66-year-old David Vogel at his National City pawn shop, authorities said yesterday. FBI agents were to arrest the three men last night.

Two additional suspects arrested in the case earlier this month pleaded guilty to misdemeanour civil-rights violations yesterday before federal Magistrate Irma Gonzalez, according to an FBI spokesman. They were Robert John Byrd, 21, and Gary Richard Danko, 21.

According to yesterday's 10-page indictment, all three men were indicted on one count of violation of civil rights and five counts of wire fraud in connection with the fraudulent use of telephone credit cards.
The indictment alleged that the three men conspired "to injure, oppress, threaten and intimidate a Jewish citizen of the United States..."

"They appear to have operated on their own," Orantia said of the suspects. "At this date, they have not been linked to any known major white hate group, like the Skinheads."

Although the FBI began its investigation only five months ago, Vogel said in a recent interview that he began receiving the anonymous phone calls about three years ago.

Vogel could not remember the exact date, but said that he received the first anonymous call in the fall of 1987. He said he clearly recalls two questions that the male caller asked: "Do you have any niggers for sale? Do you have any Jews for sale?"

The call was the beginning of "a personal hell for me and my wife," Vogel said. "They'd tell me they slept with my wife last night and they'd say they did terrible sexual things to her.

"It caused suffering for us like the concentration camps did for my family. It was horrible," said Vogel, who was a teenager when his family left Nazi Germany in 1939. Vogel said two cousins, an uncle and an aunt died in Polish concentration camps.

FBI agents said the callers apparently called Vogel at random.

"Mr. Vogel is an excitable, older man and when he reacted strongly to what they said, combined with the fact that he has an accent, they continued to call back," Orantia said.

For weeks, Vogel said he received 10 to 12 telephone calls a day. One caller threatened to firebomb the store, he said.

"They'd tell him they wouldn't be happy until they heard him lying on the floor dying, with his feet kicking the floor...they had done their homework," Orantia said. "They knew the names of death camps, like Dachau, Auschwitz, Treblinka, and some of the smaller, more obscure ones, which had a major impact on the victim."

For 18 months, Vogel said he tried unsuccessfully to get assistance from law enforcement agencies before turning to Larry Avrach, a former San Diego police officer turned private investigator, last May. Orantia said Avrach brought the matter to the FBI's attention and a case was opened.

On May 23, seconds after FBI agents placed a tape recorder on Vogel's telephone line, "a hate call came in," Orantia said. "The timing couldn't have been better. The case had a great start."

FBI agents recorded hundreds of phone calls and identified the suspects who
were making the calls from pay telephones in the South Bay, Urrantia said.
A general pattern emerged: the suspects were young men, none of whom held
jobs for a long time, and they had a fascination with computers.

On Aug. 17 FBI agents began interviewing some suspects. Five days later,
they quietly executed search warrants at one suspect's house. By then they
were investigating the theft of telephone credit card numbers and illegal
use of those numbers.

Agents said that the suspects apparently obtained unauthorized long
distance telephone access codes and related telephone numbers, which they
used to make numerous distance telephone calls and to send material on
their computers, according to the indictment.

Other details of the investigation, along with background information about
the three men, are expected to be released this morning at a press
conference at the U.S. Attorney's office.

For Vogel, the horror of the calls rekindled yet another nightmare that he
thought had long since passed.

"The thing that was scary about this was it had been 25 years since I left
Nazi Germany, but yet, the calls brought back that terror time and time
again," Vogel said.

Vogel was among the fortunate 20,000 men and women who left Germany on a
boat lift to England. The remainder of the family went to Holland. A month
later, they were reunited in Holland before boarding to Bolivia, where the
family entered the clothing industry.

In November 1953, Vogel came to the United States and went to work with a
cousin in San Diego, before getting a job in Kress's Department Store. A
short while later, he brought his family and his parents to San Diego and
ran a clothing store on Logan Avenue for 41 years.

Realizing "we couldn't compete with Sears," Vogel then purchased the own
shop on National City Boulevard.

"We're doing OK, with the exception of this phone business," he said.
"Maybe now we'll have some peace."

**END OF STORY REACHED**