

UNITED STATES GOVERNMENT

DEPARTMENT OF JUSTICE

Memorandum

TO : James J. Weatherstone, Deputy Chief, Organized Crime and Racketeering Section

DATE: Dec. 3, 1971

FROM : Edward J. Harrington, Attorney in Charge, Boston Office

SUBJECT: Testimony in Barboza Case

On today's date, Attorney Harrington and Special Agents Dennis Condon and Paul Rice appeared before Superior Court Judge Murphy in New York, at which time the Judge decided that the area of testimony to be given by the three Federal witnesses could be in conformity with the Attorney General's grant of authority. Harrington, Condon and Rice completed their testimony on behalf of former Government witness Joseph Barboza.

EXHIBIT  
441

BSF-00166

DEC - 9 1977

12-9-71

# U. S. Agents Tell of Baron

**By BONY SALUDES**

Three U.S. Government crime fighters from the East Coast testified in behalf of accused murderer Joseph Barboza Barboza yesterday.

Among them was Edward Francis Harrington, attorney in charge of the U.S. Justice Department organized crime task force for the East Coast.

He and two special agents for the FBI, Dennis Condon and H. Paul Rico, confirmed Mr. Baron was an important government witness against the Mafia and that his life subsequently was endangered.

Earlier in the trial, Public Defender Marteen Miller told the jury he would call these witnesses to explain why the 39-year-old defendant carried a gun in Santa Rosa when it was illegal for him to do so as an ex-convict.

Mr. Miller summoned the government witnesses after Chief Deputy District Attorney Ronald Fahey completed his cross-examination of Mr. Baron.

The defense proceeded rapidly after Mr. Baron got off the stand.

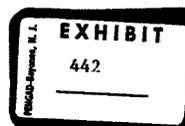
Mr. Harrington of Boston, Mass., testified Mr. Baron was the "chief witness" for the Commonwealth of Massachusetts in its successful prosecution of six Mafia members for the 1965 murder of Edward (Teddy) Deegan. That trial was in the summer of 1968, he said.

The defendants—Peter Limone, Louis Greco, Henry Tammeleo, Ronald Cassesso, Henry Salvati and Wilfred French—were convicted of murder. The first four are in death row and the other two got life sentences.

Mr. Harrington also said Mr. Baron was a witness for the federal government in March of 1968 when it prosecuted Raymond Patriarca, head of the New England Mafia, Tammeleo and Cassesso. He did not say what the case was about.

The witness confirmed Mr. Baron's testimony that "security arrangements" were made.

(Continued on Page 2, Col. 6)



# U.S. Agents Testify

(Continued from Page 1)  
for Mr. Baron prior to and for a year after he was a prosecution witness.

Came to S.R.  
Mr. Harrington said he received information from federal sources that Mr. Baron's life subsequently was "in danger," and that the government provided him with a new identity, Joseph Bentley, and relocated him in Santa Rosa.

Quizzed briefly by District Attorney Kierman Hyland, Mr. Harrington, who was on the stand less than 10 minutes, said Sonoma County authorities were not informed of Mr. Baron's relocation in this area.

He said it was not the government's "policy" to inform local authorities of such things.

The next witness was Dennis M. Condon, a special agent for the FBI from the East Coast, who said he was informed by "confidential sources" that Mr. Baron's life "was in serious jeopardy" after he testified against the Mafia.

Killers  
He said that in January of last year the FBI received information "two individuals were coming to the San Francisco area to kill someone."

Mr. Condon, who said he's known Mr. Baron for some time, said "we did not know the identity of the intended victim," but it was believed the victim was to be Mr. Baron.

He said he "advised" Mr. Baron of the impending danger at the time.

Mr. Baron yesterday testified he talked to Mr. Condon while he was in jail in Massachusetts in July of 1970.

Mr. Fahey asked Mr. Condon if at that time Mr. Baron told him he was negotiating with the Mafia to change the testimony he had given against the Mafia in 1968.

"I respectfully decline to answer that question upon instructions from the attorney general of the United States," Mr. Condon replied.

District Attorney Hyland remarked, "We'll respect that," and no further questions were asked of the witness.

FBI Agent Rico also testified he knew of attempts on Mr. Baron's life by the Mafia and told Mr. Baron about them.

He said he recalled he told Mr. Baron that "we had information one of his friends was murdered by the Cosa Nostra and that they were intending to kill him."

Mr. Rico said he was the one who informed Mr. Baron that the Mafia during their trials in 1968, had blown up Mr. Baron's attorney's car with the attorney in it. The attorney lost one leg and part of another.

"I told him this pointed out the seriousness of their efforts," Mr. Rico said.

On cross examination, Mr. Fahey asked him if Mr. Baron had indicated to him last year that he was negotiating with the Mafia to change his 1968 testimony.

Mr. Rico did not claim the same privilege as Mr. Condon, but replied that Mr. Baron hadn't.

Meanwhile, Mr. Fahey attempted to impeach Mr. Baron by producing three letters which he wrote shortly after he was slaying in October of last year, charged with the Clay Wilson slaying in October of last year.

One was addressed to Mr. Hyland, another to Gov. Ronald Reagan, and a third to his neighbor, Mrs. Nancy Wilson.

Mr. Baron acknowledged that in the letters he denied any connection with Mr. Wilson's killing and contended he was being "framed" by Ray Pinole, whom he accused of doing the actual killing.

The prosecutor's purpose for reading the letters was to show prior inconsistent statements and that Mr. Baron at first did not claim self defense as he did in the courtroom.

Mr. Fahey also produced an affidavit Mr. Baron signed on July 28, 1970, while he was in Walpole State Prison.

Recant?  
The affidavit, drawn up by Attorney F. Lee Bailey, was the one in which Mr. Baron said he wanted to recant some of the Mafia testimony he gave at the 1968 trial.

Mr. Baron acknowledged he signed the affidavit under oath and that it does say, "I wish to recant" testimony he gave against Tameleo, Limone, Salvatore and Greco and that the "testimony I now offer . . . will be the whole truth known to me."

Asked if he ever recanted his testimony, Mr. Baron replied "Never . . . I said I refused to recant."

"Are you saying that what you said in this affidavit is not true?" Mr. Fahey asked.

Mr. Baron did not respond. "Did you later indicate to the authorities that that document was not true?"

After a long pause, Mr. Baron replied, "I didn't deny it. I signed it. I refused to recant . . . That it wasn't true? It wasn't clearly understood by me."

Mr. Fahey got Mr. Baron to admit that the document "was what the Mafia was paying him \$500,000 for, but Mr. Baron added, "I was fooling them."

Reconstruction  
Mr. Fahey also had Mr. Baron reconstruct, as Mr. Baron did for Mr. Miller last Friday, the shooting of Mr. Wilson near Glen Ellen.

Mr. Fahey called upon Sheriff's Identification Technician Howard Finger, a man about the same stature as the victim was, to play the role of the victim.

In a more vigorous manner than he did Friday, Mr. Baron demonstrated with Mr. Finger from Mr. Wilson and knocked him to the ground, ending up with the victim's gun in hand.

The only difference in the reconstruction was that Mr. Baron fell on top of Mr. Finger in the courtroom and he said he did not fall on top of Mr. Wilson in Glen Ellen.

Mr. Fahey completed his cross-examination of Mr. Baron by getting him to admit that he was convicted of two felonies on Jan. 25, 1967, in Suffolk County, Mass.

One conviction, he admitted was for carrying a double-edge knife in a car and the other was for illegally carrying a gun.

He said he was sentenced to not less than four years and no more than five years in prison given credit for 115 days he served prior to sentencing, actually got out of jail on Sept. 19, 1970.

After that, he said, he was moved around under the protective custody of the government until April, 1969, when he was relocated in Santa Rosa.

Mr. Miller also called his investigator, Greg Evans, who testified he and Mr. Miller talked to William Geraway, a Walpole State Prison in June of this year.

Mr. Geraway previously testified Mr. Baron told him he murdered Clay and that he then informed on Mr. Baron to the authorities.

Mr. Evans testified Mr. Geraway, a convicted murderer, told him he received his information about the Wilson murder from Ronald Cassesso, who was a Walpole's death row at that time.

Mr. Geraway, Mr. Evar said, said he was being bribed by the Mafia to inform on Mr. Baron because the Mafia wanted to "degrade" Mr. Baron "because of pending court action involving Patriarca."

Mr. Baron yesterday again denied he told Mr. Geraway about the Wilson killing. He acknowledged that for a time he thought Mr. Geraway was a good friend of his, and even wrote him a poem, but that he did not trust him "to that extent."

## Baron's Ex-Attorney Takes Stand

By BONY SALUDES

East Coast attorney, who represented Joseph Baron when he testified against the Mafia in 1968, marked the 39-year-old defendant's murder trial Friday.

Friday's proceedings also were highlighted by a long-distance phone call by the court to the East Coast Attorney Jack Zalkind, the prosecutor of the trial in question—the Edward (Teddy) Deegan Murder Case.

Public Defender Marteen Miller rested Mr. Baron's case after calling John E. Fitzgerald, Mr. Baron's former attorney who said the Mafia tried to execute him by blowing up his car on Jan. 30, 1968.

Mr. Fitzgerald, of course, survived the blast, but lost one leg and part of another. He limped to the stand with the aid of a cane.

Mr. Miller completed Mr. Baron's defense quickly Friday after Superior Court Judge Joseph P. Murphy Jr. rejected various evidence and testimony proposed by the defense.

The trial was recessed until 10 a.m. Tuesday when the prosecution will begin its rebuttal. Chief Deputy District Attorney Ronald Fahey would not affirm nor deny reports one of his rebuttal witnesses will be famed.

(Continued on Page 3A, Col. 1)



## THE DEFENSE RESISTS In Baron Trial

Continued from Page 1A  
ast Coast Attorney F. Lee Bailey.

The defense Friday called Attorney Fitzgerald for the sole purpose of impeaching convicted Massachusetts murderer William Geraway.

Geraway, one of the prosecution's star witnesses, testified Mr. Baron told him he had "murdered" Clayton Wilson and wanted him to come to Sonoma County to rebury the body.

After stating he knew Geraway, Mr. Fitzgerald was asked by Mr. Miller if he had an opinion of Geraway's "truth and veracity."

"Pathological Liar"  
"Mr. William Geraway," Mr. Fitzgerald replied, "is considered to be a pathological liar."

On cross-examination, District Attorney Kiernan Hyland got Mr. Fitzgerald to state he represented Mr. Baron from 1965 to 1968 and represented him during the 1968 Deegan Murder trial in Boston, Mass.

He said he represented Mr. Baron in the capacity of a "defense attorney," but he was not permitted to state whether at the time Mr. Baron was charged with a crime.

"Did some horrible accident happen to you during this time?" Mr. Hyland asked.

"It wasn't an accident," Mr. Fitzgerald replied.

He testified his car was bombed on Jan. 30, 1968, on orders from Raymond Patriarca, head of the New England Mafia, to murder him.

"That's not an opinion," he said. "It's an established fact."

According to earlier testimony, Mr. Baron went on to testify for the Suffolk County district attorney in Boston in the Deegan murder. His testimony was

instrumental in convicting six Mafiosos for murder. Four of the men are on death row, and two got life sentences.

### Phone Call

Meanwhile, in an unusual proceeding in the judge's chambers, the court took a deposition from Mr. Zalkind through long-distance telephone to Boston.

Judge Murphy administered Mr. Zalkind the oath on the phone and asked him three questions prepared by the defense and six by the prosecution.

The procedure was suggested by Mr. Miller who wanted Mr. Zalkind's testimony to impeach a statement made against Mr. Lawrence Hughes of New Bedford, Mass.

Mr. Hughes testified Mr. Baron told him he had had sexual intercourse with Mr. Wilson's widow an hour after he'd "buried" him in the ground and that he (Hughes) had relayed the information to Mr. Zalkind.

Mr. Zalkind was asked, in question propounded by Mr. Miller, if in fact Mr. Hughes had reported Mr. Baron's alleged statement to him.

"No," he replied.

Mr. Fahey's questions elicited from Mr. Zalkind that he's primarily a private attorney and that he does not work fulltime with the Boston district attorney's office.

He confirmed he prosecuted the Mafia members in the Deegan murder trial, that he had spoken to Mr. Hughes and that Mr. Hughes was placed in protective custody in 1970 and 1971.

Mr. Zalkind was asked if there were any criminal charges pending against Mr.

Hughes in the New England area.

"I cannot answer that," he replied.

The deposition was taken down by a court reporter and will be read to the jury on Tuesday.

### Transcripts

Meanwhile, Mr. Zalkind requested the court to forward to him transcripts of the full testimony given here by Geraway, Mr. Baron and Mr. Hughes. He did not state the reason for his request.

Mr. Miller also called Brian Smith Finkle, a forensic toxicologist from San Jose, who testified a person under the influence of seconal, a depressant, would have a "tendency to release his inhibitions. He would be uninhibited."

Mr. Baron testified he'd witnessed Mr. Wilson take several seconal capsules some hours before the killing in Glen Ellen.

Mr. Finkle also testified he reconstructed torn pieces of paper in a pill vial found on Mr. Wilson's body and determined it was a drug prescription.

The judge, however, refused to permit him to testify that the prescription was for Ritalin, a drug prescribed for the treatment of drug addicts.

On cross-examination, Mr. Finkle acknowledged that the physical ability of a person under the influence of seconal would be "impaired."

The prosecutor apparently was trying to show Mr. Wilson was in a helpless condition when Mr. Baron shot him.

Mr. Miller also called a pharmacist, Theodore Seamas, but he only testified to his name and occupation. He was not permitted to testify when the judge sustained the prosecution's objection to his proposed testimony.

Judge Murphy also rejected a move by Mr. Miller to introduce photographs of an alleged burial site off of St. Helena rd., where Mr. Baron testified he, Mr. Wilson's widow and Paulette Ramos tried to bury Mr. Wilson's body before it was finally buried in Glen Ellen.

The judge also rejected defense testimony of Mrs. Wilson's ex-husband, Ken Mancini. Mr. Miller wanted to question him about Mrs. Wilson's alleged attempt to poison him last year during their child-custody dispute.

Mr. Miller completed Mr. Baron's defense in five days after calling 14 witnesses. The prosecution took four weeks to complete testimony of 14 witnesses, also, but most of the time was taken by defense cross-examination.

EXHIBIT  
444

NO. 731 (Rev. 7/61 Law)

**SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
IN AND FOR THE COUNTY OF SONOMA

Date: Dec. 10, 1971 Hon. **JOSEPH P. MURPHY, JR.** Judge **ROUISE V. EVANS** Deputy Clerk  
**GERARD THOMPSON** Bailiff **MARTHA BLASHFIELD** Reporter

---

**THE PEOPLE OF THE STATE OF CALIFORNIA** vs. **JOSEPH BENTLEY, JR.**

Counsel appearing for Plaintiff: **KIERNAN R. HYLAND, District Attorney and RONALD W. FAHEY, Chief Deputy District Attorney**

Counsel appearing for Defendant: **MARTEEN J. MILLER, Public Defender**

---

**NATURE OF PROCEEDINGS:** Violation Sec. 187 PC - 29th day Jury **ACTION No. 6407-C**

This cause came on regularly this day for further trial by jury. At 10:10 A.M. Court convened. All present.

Red Siemens sworn and testified in behalf of the defendant.

At 10:15 A.M. Court admonished the jury and excused them from the courtroom. Court remained in session. Legal discussion by counsel and Offer of Proof by Mr. Miller to allow testimony re: drug abuse by victim. At 10:20 A.M. Court declared a recess. At 10:40 A.M. Court reconvened in the absence of the jury. Defendant present.

The Court rules that objections to offers of proof by Mr. Miller shall be sustained and that proposed testimony of Mr. Siemens and Dr. Avery is inadmissible.

Offer of proof by Mr. Miller as to testimony to be elicited from Mr. Finkle. Court rules that Mr. Finkle will be permitted to testify as to types of questions outlined by Mr. Miller.

Record of Tuttle's Pharmacy of Nevada City, California from Dr. Avery a prescription for one Clay Gibson for the drug Ricatalin, marked Defendant's Ex. D, for identification.

At 11:15 A.M. the jurors are returned to open Court. All present. Defendant present. Dr. Bryan Smith-Finkle sworn and testified in behalf of defendant.

Plastic slide, fragments of label, marked Defendant's Ex. E, for identification.

Photograph of magnified label marked Defendant's Ex. U, for identification.

Enlargement of photograph of Ex. U, marked Defendant's Ex. V, for identification.

At 11:55 A.M. Court admonished the jury and declared the noon recess. The jurors are directed to return at 2:00 P.M.

At 2:00 P.M. Court convened in the Judge's Chambers, in absence of the jury. Present are Mr. Fahey, Mr. Miller, the Reporter and the Clerk and Judge Murphy.

Stipulated by counsel that interrogatories to Jack Zalkind, Boston, Massachusetts, in lieu of deposition, pursuant to Secs. 1349 through 1362, inclusive of the Penal Code may be used, and that the questions may be propounded to Mr. Zalkind by the Court by telephone.

Jack Zalkind is administered the oath by the Court. Stipulated that the questions asked and the answers so recorded shall constitute the deposition of Jack Zalkind. Questions asked by the Court and answers given to said questions by Mr. Zalkind and recorded by the Court Reporter.

Stipulated by counsel that the quotation of Mr. Miller's posing questions as to Dee Mancini Wilson, Paulette Ramos and Pearl Elaine Wilson was accurate statement of what they said on tape.

Joseph ... Public Defender  
 Defendant

**NATURE OF PROCEEDINGS:** Violation Sec. 187 Pt. - 29th day Jury ACTION No. 6407-C

This cause came on regularly this day for further trial by Jury. At 10:10 A.M. Court convened. All present.

Red Siemens sworn and testified in behalf of the defendant.

At 10:15 A.M. Court admonished the Jury and excused them from the Courtroom. Court remained in session. Legal discussion by Counsel and Offer of Proof by Mr. Miller to allow testimony re: drug abuse by victim. At 10:20 A.M. Court declared a recess. At 10:40 A.M. Court reconvened in the absence of the Jury. Defendant present.

The Court rules that objections to Offers of proof by Mr. Miller shall be sustained and that proposed testimony of Mr. Siemens and Dr. Avery is inadmissible.

Offer of Proof by Mr. Miller as to testimony to be elicited from Mr. Finkle. Court rules that Mr. Finkle will be permitted to testify as to types of questions furnished by Mr. Mahan.

Records of Tuttle's Pharmacy of 354 North Main from Dr. Avery's prescription for one Day Wilson for the drug Rivalin, marked Defendant's Ex. D, for identification, re: 10:45 A.M. the Jurors are returned to open Court. All present. Defendant present. Dr. Gray Smith Finkle sworn and testified in behalf of defendant.

Plastic bottle, fragments of label, marked Defendant's Ex. P, for identification. Photograph of fragment of label marked Defendant's Ex. Q, for identification. Enlargement of photograph of Ex. Q, marked Defendant's Ex. R, for identification.

At 11:55 A.M. Court admonished the Jury and declared the noon recess. The Jurors are directed to return at 2:00 P.M.

At 2:00 P.M. Court convened in the Judge's Chambers, in absence of the Jury. Present are Mr. Cahoy, Mr. Miller, the Reporter and the Clerk and Judge Murphy. Stipulated by counsel that interrogatories to Jack Zalkind, Boston, Massachusetts, in lieu of deposition pursuant to Sec. 1349 through 1362, inclusive of the Penal Code may be used, and that the questions may be propounded to Mr. Zalkind by the court by telephone.

Jack Zalkind is administered the Oath by the Court. Stipulated that the questions asked and the answers be recorded shall constitute the deposition of Jack Zalkind. Questions asked by the Court and answers given to said questions by Mr. Zalkind and recorded by the court Reporter.

Stipulated by counsel that the quotation of Mr. Miller's posing questions as to Gene Mandini Wilson, Paulette Rembe and Pearl Elaine Wilson was accurate statement of what they said on tape.

At 2:15 P.M. Court reconvened in open Court in presence of the Jury. All present. Defendant present.

Stipulated by counsel that if Officer Long were called he would testify that the statements made on Police Report were made by Elaine Wilson and if Chief Fitch were called he would raise that the interview with Elaine Wilson are in reflective of what his report indicated.

Gen Mandini sworn and testified in behalf of defendant.

John C. Fitzgerald sworn and testified in behalf of defendant.

The Defense rests. (6:42)

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SAN DIEGO

At 2:35 P.M. Court admonished the Jury and excused them until Dec. 14, 1971,  
at 10:00 A.M. Court remained in session.

Offer of Proof by Mr. Miller re: testimony of Ken Mancini. Objections by The  
People are sustained.

At 2:45 P.M. Court adjourned to Dec. 14, 1971, at 10:00 A.M.

MARK OF PROCEEDING

102-754 3M 7/81 (new)

SUPERIOR COURT OF THE STATE OF CALIFORNIA  
IN AND FOR THE COUNTY OF SONOMA

DEPT. 4

Date: Dec. 13, 1971 Hon. JOSEPH P. MURPHY, JR., Judge LOUISE V. EVANS, Deputy C  
GERALD THOMPSON, Bailiff MARTHA BLASHFIELD, Reporter

THE PEOPLE OF THE STATE OF CALIFORNIA

Plaintiff

Counsel appearing for Plaintiff: BIGNAN R. HYLAND, District Attorney and RONALD W. FAHE, Chief Deputy District Attorney

vs.

JOSEPH BENTLEY & C

Defendant

Counsel appearing for Defendant: MARTEEN J. MILLER, Public Defender

NATURE OF PROCEEDINGS:

ACTION No. 6407-1

This cause came on this day in absence of the jury for change of plea. The defendant will enter a plea of guilty to violation of Sec. 187 PC, murder in the second degree and the District Attorney declares it will accept said plea. Defendant is advised of his rights and waives same. Defendant at this time pleads guilty to violation of Sec. 187 PC, murder in the second degree. Defendant being ineligible for probation, waives time for pronouncement of judgment and has no legal cause to show why judgment should not be pronounced against him. The Court pronounces judgment.

IT IS ORDERED BY THE COURT, that defendant be punished by imprisonment in state prison for the term provided by law. Cause is referred to the Probation Officer for a Post-Sentence Report.

Pursuant to stipulation, IT IS ORDERED BY THE COURT, that all exhibits introduced during trial, may be withdrawn.

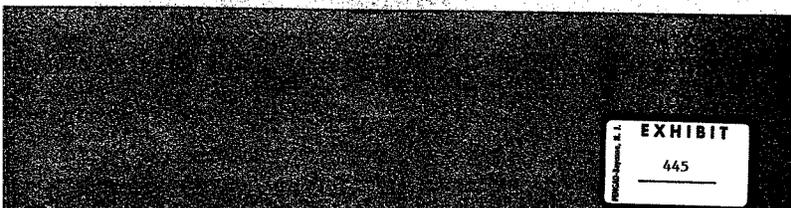


EXHIBIT  
445

2021

FEDERAL BUREAU OF INVESTIGATION  
COMMUNICATIONS SECTION

DEC 14 1971

TELETYPE

NR 015 SF PLAIN

1231AM NNITEL 12/13/71 FCO SENT 12-14-71

TO: DIRECTOR (92-9828)  
BOSTON (92-1132) (87-13606)  
NEW YORK (87-60655)

FROM: SAN FRANCISCO (92-2061) (P) 1P

JOSEPH BARON, AKA; ET AL. AR; ITSP.

FOR INFORMATION OF RECEIVING OFFICES, AT APPROXIMATELY  
TWO O'CLOCK P.M. INSTANT, SUBJECT CHANGED HIS PLEA FROM  
NOT GUILTY TO GUILTY IN LOCAL COURT TO SECOND DEGREE MURDER  
AND WAS SUBSEQUENTLY ORDERED TO CONFINEMENT AT VACAVILLE,  
CALIFORNIA, FOR PRECONFINEMENT EXAMINATION. FINAL SENTENCE  
DATE TO BE SET.

INVESTIGATION CONTINUING.

AM COPY TO MIAMI.

END

WJM FBI WA ACK TWO TELS

Mr. Tolson	_____
Mr. Felt	_____
Mr. Rosen	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, ES	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Bates	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	_____

*Handwritten initials/signature*

51 DEC 20 1971

*Handwritten initials/signature*

EX-115  
REC-21 92-9828-40

3 DEC 14 1971

*Handwritten initials/signature*



2022

DESCRIPTIVE LIST OF PRISONER



Office of the Warden of State Prison

Deer Lodge, Montana OCTOBER 30, 1972

In accordance with the requirements of the Consolidated Boards, I have the honor to report:

That BENTLEY, JOSEPH # 38 509 a prisoner, was received at the prison on the a/k/a JOSEPH BARBOSA a/k/a JOSEPH BARON a/k/a JOSEPH WILSON a/k/a JOSEPH MEDELA 20, day of OCTOBER, 1972. Convicted of MURDER/2nd DEGREE. Sentenced DECEMBER 14, 1971 Term of sentence is FIVE YEARS TO LIFE years, and months. Crime committed in SANTA ROSA Town, SONOMA (CALIFORNIA) County. Plead Guilty? YES Stand trial? NO Was the sentence fixed by the jury or Court? COURT Data of crime CRIME COMMITTED: JULY 1, 1970

Number of previous convictions in this or any other state. MASSACHUSETTS (3) CALIFORNIA (1)

Military Service NONE

Where and by whom employed previous to coming to Montana. INCARCERATED - FOLSOM STATE PRISON/ CAL

Date of arrival in Montana. OCTOBER 30, 1972 and by whom employed since arrival.

INCARCERATED U.S.P. - INTER-STATE CORRECTIONAL COMPACT Social Security Number. UNKNOWN TRANSFER INSTANT

If married, wife's address. KENTUCKY No. of Children. TWO

Names and addresses of parents. JOSEPH BARBOSA NEW BEDFORD, MASS.

Born at. NEW BEDFORD State of. MASSACHUSETTS Foreign Country. ---

Descent. PORTUGUESE Age. 40 (9-26-32) Height. 70" Weight. 185

Eyes. BROWN Hair. BLACK Teeth. GOOD Complexion. SWARTRY

Features. ROUND Build. STOCKY Education. 8 GRADES

Occupation. COOK & BAKER Religion. JEWISH Shoe size. 10 1/2 D

Health of convict, whether free from disease. GOOD

Use Tobacco. YES Marks, Scars, Etc. TATTOOS: NAME "JOE" RIGHT FOREARM/ "BORN TO DIE" AND "1932" RIGHT BICEP/ BOXING GLOVES, LEFT BICEP/ SCAR, LEFT BICEP/ HOLE, RIGHT CHEEK

Date of regular expiration.

(\*) Full Name of Prisoner to be Inserted Here

-BENTLEY, JOSEPH

ALCOHOL: NO DRUGS: NO





# U.S. Agents Testify

(Continued from Page 1)  
for Mr. Baron prior to and for a year after he was a prosecution witness.

## Came to S.R.

Mr. Harrington said he received information from federal sources that Mr. Baron's life subsequently was "in danger," and that the government provided him with a new identity, Joseph Bentley, and relocated him in Santa Rosa.

Quizzed briefly by District Attorney Kiernan Hyland, Mr. Harrington, who was on the stand less than 10 minutes, said Sonoma County authorities were not informed of Mr. Baron's relocation in this area.

He said it was not the government's "policy" to inform local authorities of such things.

The next witness was Dennis M. Condon, a special agent for the FBI from the East Coast, who said he was informed by "confidential sources" that Mr. Baron's life "was in serious jeopardy" after he testified against the Mafia.

## Killers

He said that in January of last year the FBI received information "two individuals were coming to the San Francisco area to kill someone."

Mr. Condon, who said he's known Mr. Baron for some time, said "we did not know the identity of the intended victim," but it was believed the victim was to be Mr. Baron.

He said he "advised" Mr. Baron of the impending danger at the time.

Mr. Baron yesterday testified he talked to Mr. Condon while he was in jail in Massachusetts in July of 1970.

Mr. Fahey asked Mr. Condon if at that time Mr. Baron told him he was negotiating with the Mafia to change the testimony he had given against the Mafia in 1968.

"I respectfully decline to answer that question upon instructions from the attorney general of the United States," Mr. Condon replied.

District Attorney Hyland remarked, "We'll respect that," and no further questions were asked of the witness.

FBI Agent Rico also testified he knew of attempts on Mr. Baron's life by the Mafia and told Mr. Baron about them.

He said he recalled he told Mr. Baron that "we had information one of his friends was murdered by the Cosa Nostra and that they were intending to kill him."

Mr. Rico said he was the one who informed Mr. Baron that the Mafia, during their trials in 1968, had blown up Mr. Baron's attorney's car with the attorney in it. The attorney lost one leg and part of another.

"I told him this pointed out the seriousness of their efforts," Mr. Rico said.

On cross examination, Mr. Fahey asked him if Mr. Baron had indicated to him last year that he was negotiating with the Mafia to change his 1968 testimony.

Mr. Rico did not claim the same privilege as Mr. Condon, but replied that Mr. Baron hadn't.

Meanwhile, Mr. Fahey attempted to impeach Mr. Baron by producing three letters which he wrote shortly after he was slaying in October of last year.

charged with the Clay Wilson slaying in October of last year.

One was addressed to Mr. Hyland, another to Gov. Ronald Reagan, and a third to his neighbor, Mrs. Nancy Wilson.

Mr. Baron acknowledged that in the letters he denied any connection with Mr. Wilson's killing and contended he was being "framed" by Ray Pinole, whom he accused of doing the actual killing.

The prosecutor's purpose for reading the letters was to show prior inconsistent statements and that Mr. Baron at first did not claim self defense as he did in the courtroom.

Mr. Fahey also produced an affidavit Mr. Baron signed on July 28, 1970, while he was in Walpole State Prison.

## Recant?

The affidavit, drawn up by Attorney Lee Bailey, was the one in which Mr. Baron said he wanted to recant some of the testimony he gave at the 1968 Mafia trial.

Mr. Baron acknowledged he signed the affidavit under oath and that it does say, "I wish to recant" testimony he gave against Tameleo, Limone, Salvati and Greco and that the "testimony I now offer . . . will be the whole truth known to me."

Asked if he ever recanted his testimony, Mr. Baron replied, "Never . . . I said I refused to recant."

"Are you saying that what you said in this affidavit is not true?" Mr. Fahey asked.

Mr. Baron did not respond. "Did you later indicate to the authorities that that document was not true?"

After a long pause, Mr. Baron replied, "I didn't deny it. I signed it. I refused to recant . . . That it wasn't true? It wasn't clearly understood by me."

Mr. Fahey got Mr. Baron to admit that the document was what the Mafia was paying him \$500,000 for, but Mr. Baron added, "I was fooling them."

## Reconstruction

Mr. Fahey also had Mr. Baron reconstruct, as Mr. Baron did for Mr. Miller last Friday, the shooting of Mr. Wilson near Glen Ellen.

Mr. Fahey called upon Sheriff's Identification Technician Howard Finger, a man about the same stature as the victim was, to play the role of the victim.

In a more vigorous manner than he did Friday, Mr. Baron demonstrated with Mr. Finger how he wrenched the gun away from Mr. Wilson and knocked him to the ground, ending up with the victim's gun in hand.

The only difference in the reconstruction was that Mr. Baron fell on top of Mr. Finger in the courtroom and he said he did not fall on top of Mr. Wilson in Glen Ellen.

Mr. Fahey completed his cross-examination of Mr. Baron by getting him to admit that he was convicted of two felonies on Jan. 25, 1967, in Suffolk County, Mass.

One conviction, he admitted was for carrying a double-edge knife in a car and the other was for illegally carrying a gun.

He said he was sentenced for not less than four years and no more than five years in prison given credit for 113 days he served prior to sentencing an actually got out of jail on Sep. 19, 1970.

After that, he said, he was moved around under the protective custody of the government until April, 1969, when he was relocated in Santa Rosa.

Mr. Miller also called his investigator, Greg Evans, who testified he and Mr. Miller talked to William Geraway in Walpole State Prison in June of this year.

Mr. Geraway previously testified Mr. Baron told him he murdered Clay and that he then informed on Mr. Baron to the authorities.

Mr. Evans testified Mr. Geraway, a convicted murderer, to him he received his information about the Wilson murder from Ronald Cassesso, who was Walpole's death row at that time.

Mr. Geraway, Mr. Evans said, said he was being bribed by the Mafia to inform on Mr. Baron because the Mafia wanted to "degrade" Mr. Baron "I cause of pending court action involving Patriarca."

Mr. Baron yesterday again denied he told Mr. Geraway about the Wilson killing. He acknowledged that for a time Mr. Geraway was a good friend of his, and even wrote him a poem, but that he did not try him "to that extent."