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Tuesday, April 10, 1990

METRO

BALLIRO CLEARED OF AIDING TAX **EVASION** CHARGE DISMISSED AGAINST LAWYER

Paul Langner, Globe Staff

Joseph J. Balliro, one of Boston's best-known defense lawyers for criminal cases, was acquitted yesterday in federal court of the charge that he helped a fugitive and reputed mobster evade income taxes.

Balliro had been charged with helping Salvatore Michael Caruana, whom he sometimes represented, evade federal income taxes by helping him invest in the Islander Hotel in the Bahamas.

Judge Edward Harrington, during hearings on motions to dismiss all charges, had questioned Assistant US Attorney Robert L. Ullmann intensely, asking the prosecutor repeatedly to explain how the documents he had introduced provided evidence of Balliro's knowledge that his dealings with Caruana amounted to violations of the law.

Ullmann told the judge that at least one document dealing with the Islander Hotel investment showed that Balliro must have had reason to believe that Caruana's wealth, which he estimated at $7 million, was derived from marijuana smuggling.

Harrington also dismissed parts of the charges against Balliro's codefendants, but denied their attorneys' motions for complete dismissal. The judge gave no reasons for granting some pleas for acquittal and denying others.

Balliro, 62, said after the ruling that he would have no comment until after his three codefendants have been tried, except to say he was relieved. His lawyer, Richard Egbert, also declined comment beyond saying that Harrington's order of acquittal "takes a big load off my mind."

Ullmann said, "We can't comment. There are still three defendants on trial."

Balliro's indictment on March 23, 1989, had caused a sensation in Boston legal circles and prompted dozens of well-known members

of the Boston criminal defense bar to rally to his support.

At the time, Egbert called a press conference in his office where he and Balliro, flanked by other lawyers, announced the impending indictment before the US attorney had officially released it, and where the lawyers expressed their support and confidence that he would be acquitted.

Several attorneys said at the time that they believed the indictment was an act of retribution from the former head of the federal organized-crime strike force, Jeremiah O'Sullivan, because of Balliro's successful defense of many alleged mob figures.

Yesterday, as lawyers learned of Balliro's acquittal, they expressed approval. Some actually cheered.

Balliro's wife, Channel 7 reporter Amalia Barreta, a sister, and his daughter Julianne, also an attorney and a member of his firm, burst into tears. His son-in-law Frank Mondano and his son Joseph Jr., both practicing law in the family firm, gave a subdued cheer when Harrington ruled on Egbert's motion for acquittal.

The remaining defendants, two lawyers and a former financial adviser, now face only conspiracy charges. The charges that they committed actual crimes -- as opposed to taking part in conspiracies to do so -- have been dismissed.

Edmund Hurley, a Boston lawyer, still faces charges of helping Caruana evade taxes and of racketeering conspiracy, as does Charles Burnett, a lawyer from Florida, who also faces an indictment for allegedly using interstate telephone facilities to engage in racketeering.

Financial adviser David Gorwitz still faces the charge of assisting Caruana in evading taxes and part of the racketeering conspiracy charge brought against him. But Harrington ordered many specific instances of alleged racketeering stricken from the count against him.

All three are scheduled to proceed with their defenses this morning when the jury returns. Defense counsel have told Harrington that they don't expect the cases to take more than another two days. Closing arguments are expected Wednesday.

Lawyers Anthony Cardinale, for Burnett; Richard Wynn, for Gorwitz; and Albert Cullen, for Hurley, declined comment on Balliro's acquittal. Wynn said only that he was disappointed that his client had not been similarly cleared of all charges.

In the five-week trial in US District Court, Ullmann and his assistant prosecutor J. Dennis Saylor had introduced testimony and

documents intended to show that the four, as well as three other alleged conspirators, had engaged in buying and selling of real estate, aircraft, boats and gold and silver as a way of laundering money obtained through drug smuggling.

The indictment also charges that they were part of a scheme to set up dummy Bahamian and Panamanian corporations that would buy and sell real estate and other things with drug money, make loans to distressed individuals and corporations in the United States and then re-inject the repaid loan money into the legitimate business world.

Three of the accused conspirators never appeared in court. They are Caruana -- who has been a fugitive since April 2, 1984, when he skipped bail -- and Kendal and Rubie Nottage, a Bahamian Cabinet minister and his wife.

The strongest testimony against Balliro during the trial came from Robert I. Deutsch, a former lawyer who resigned from the bar when the Board of Bar Overseers began to investigate charges that he had stolen money from his brother's trust fund. He testified that had Balliro passed on a threat "from Providence," understood to mean the mob, that harm would come to an investment group he and Balliro belonged to, unless their interest in a lucrative property -- the Islander Hotel -- were sold.

Deutsch testified that he, Balliro, and about 14 others in the Boston area had pooled their money in 1979 to come up with $300,000 to buy the hotel. The property was worth between $1 million and $2 million in his judgment, Deutsch testified. The owner at the time, he testified, wanted to get rid of the hotel, which had proved impossible to develop because Nottage was occupying the property and refusing to leave.

Under questioning by Egbert, Deutsch admitted that the investment had become "a white elephant," and that it was the prospect of losing their investment, rather than any threats from the mob, that prompted the investors to sell.

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---- INDEX REFERENCES ----

KEY WORDS: NAME-BALLIRO; ORGANIZED CRIME; TRIAL; RULING

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Sunday, December 12, 1993

METRO/REGION

Lawyer defends his choice of clients
Matthew Brelis, Globe Staff

When Richard M. Egbert heard an assistant US attorney tell a magistrate last month that the government will move to disqualify Egbert from representing a defendant, he rolled his eyes and muttered, "Why should this day be different from any other?"

While it may not be a daily occurrence, it is happening with increasing frequency.

The US attorney's office has moved at least three other times in the past year to have Egbert disqualified in cases and Egbert said that in his 21-year career he has faced disqualification motions only a dozen times.

Prosecutors say they are forced to make the requests because Egbert has previously represented either witnesses or co-defendants in the cases, raising potential conflicts. Egbert believes it is nothing more than an effort to do away with effective competition.

Earlier this week, US Magistrate-Judge Marianne B. Bowler denied a government motion to disqualify Egbert from representing Terrence McDonough, a private investigator facing marijuana charges. Egbert successfully fought a similar motion to bar him from representing real estate broker Peter Nassif, and Arthur Eric Peach, a Dime Savings bank loan originator in a bank fraud case.

Those three, coupled with the claim last month of an organized crime strike force attorney that the government will challenge Egbert's representation of Joseph S. Mongiello Jr. in a racketeering indictment because Egbert represented the government's star witness, Burton (Chico) Krantz, have not fazed Egbert.

"I chose the profession I'm in and I'm a big boy," he said.

With the tenacity of a pit bull, the 46-year-old Newton native argues for his clients -- be they alleged Mafia members, drug dealers, politicians, real estate brokers, judges or attorneys -- and hopes to find an abuse of power by the federal government behind every indictment.

But Egbert's forte is in cross-examination.

Viewed by his colleagues in the defense bar and prosecutors as a master, he has picked at inconsistencies in the statements of government informants and made FBI agents look sinister.

"He is one of the finest criminal defense lawyers I ever saw," said attorney Earle S. Cooley, who has been practicing in Boston for 36 years. "Watching Egbert and seeing the thoroughness of his presentation is a real treat."

And unlike some of his colleagues, Egbert is not a member of a large firm with an enormous support staff. His office has one other attorney, a secretary and law clerks.

Seemingly indefatigable, Egbert prepares cases himself by working into the early morning hours fueled by coffee and Marlboro Lights.

"I earnestly believe that the government should not trample on people and that people who are indicted still deserve respect," he said. "It is my lot in life to expose unchecked government power. It needs to be checked, or we'll all end up in cages."

While he goes full-tilt into a defense, a strategy he will never employ is trying to strike a deal with the government in exchange for a client's testimony against other defendants. He refuses to work with informants, whom he calls rats.

"I'm a Jew, and I don't know how a Jew can look at the government's use of stool pigeons and not be horrified by it," Egbert said. "In death camps, Nazis offered life to one who would betray others. It horrifies me that the government would rely on purchased testimony, bribed not with money, but with freedom, the dearest thing in the world."

Egbert's remarks were called "outrageous" by Jonathan Chiel, head of the criminal division at the US attorney's office and the son of a prominent conservative rabbi.

"To equate our judicial process, centered, as it is, on the rights of the accused, with the monstrous, unparalleled acts and genocide committed by the Nazis, is an outrageous insult to all of us who believe in our democratic form of government," Chiel said. "Mr. Egbert's choice not to represent those who cooperate and provide truthful information to the government is nothing more than a strategic business decision."

A fighter from early on, Egbert once locked a high school teacher in a broom closet. He sheepishly explained that he thought

the Roxbury Latin teacher had treated him unfairly.

Egbert still does not back down from confrontations. And whether the forum is federal court or state court, Egbert has had some big victories.

In 1986, James P. Flynn was acquitted of the 1982 Boston waterfront gangland-style slayings of Edward P. (Brian) Halloran, a reputed Winter Hill gang member who turned informant, and Michael J. Donohue. Egbert's defense in that case overcame the testimony of three law enforcement officials who arrived at the shooting scene and said they heard Halloran's "dying declaration" in which he identified Flynn as his killer.

According to Egbert, his **"proudest moment"** was his **successful** representation of fellow defense attorney Joseph **Balliro,** charged with helping a reputed mobster evade income taxes. After hearing evidence in the 1990 trial, US District Judge Edward F. Harrington ordered a verdict of not guilty for Balliro.

Some prosecutors, speaking on condition of anonymity, said they think Egbert is too close to his clients who have ties to organized crime.

They point to his representation of James Martorano, a reputed Mafia lieutenant, who once worked in Egbert's office as a paralegal. The two were briefly business partners in a real estate deal.

"I had a real friendship with Jimmy," Egbert said, noting that some of the real estate deals made money and some lost money.

"I offered him a job. I don't believe in abandoning someone for life, just because they committed a crime."

Egbert has represented Francis P. (Cadillac Frank) Salemme, the reputed head of the New England Mafia; is currently representing Salemme's son, Frank, in a labor racketeering trial that will start next year; and also has alleged organized crime leader Stephen (The Rifleman) Flemmi as a client.

Egbert bristles at being described a mob lawyer.

"It is unfair and I object to it," he said. "Out of my practice, 20 percent tops is what is publicly described as organized crime." He said that his clients also include lawyers and judges whom he has represented in closed hearings and would not identify.

TABULAR OR GRAPHIC MATERIAL SET FORTH IN THIS DOCUMENT IS NOT DISPLAYABLE

PHOTO;

GRANTING COMMUTATION HEARING

W-31836 Norfolk

PETITIONER: Lillie, Peter

OFFENSE:

SENTENCE:

EFFECTIVE DATE:

DATE PETITION RECEIVED:

___ GRANT
✓ DENY
___ DENY WITHOUT PREJUDICE

Mr. Albano
DATE: 6/1/90

COMMENTS: Given the 1987 commutation Board recommendation and prior concerns, I see no reason to look favorably on this petition. Although the petitioner's incarcerated record is positive overall, his association with the offenses of crime figure far outweighs his accomplishments. Given the gravity of the offense and continued relationships, this petition does not warrant Executive clemency.

___ GRANT
___ DENY
___ DENY WITHOUT PREJUDICE

Mr. Burke
DATE: ____

COMMENTS:

___ GRANT
✓ DENY
___ DENY WITHOUT PREJUDICE

~~Mr. Curran~~ Ms. Jones
DATE: 6/12/90

COMMENTS: No merit

___ GRANT
✓ DENY
___ DENY WITHOUT PREJUDICE

Ms. Hooley
DATE:

COMMENTS: Petitioner has had a full hearing on the matter of clemency.

___ GRANT
✓ DENY
___ DENY WITHOUT PREJUDICE

Mr. Myers
DATE: 6/5/90

COMMENTS:

___ GRANT
✓ DENY
___ DENY WITHOUT PREJUDICE

Mr. Gittens
DATE: 6/05/90

COMMENTS: Based on petitioner's role in the crime he is simply timing for all the circumstances of his most recent return to higher custody, executive clemency is not warranted at this time.

___ GRANT
✓ DENY
___ DENY WITHOUT PREJUDICE

Ms. Suber
DATE: 1/13/90

COMMENTS:

EXHIBIT
842

July 19, 1990

PERSONAL

Mr. John M. Morris
Federal Bureau of Investigation
Boston, Massachusetts

Dear Mr. Morris:

I have completed my review of the administrative inquiry concerning your involvement in unauthorized disclosures of information to the Boston Globe newspaper. That inquiry determined that pursuant to your association with a Boston Globe reporter, you were involved in two instances of unauthorized disclosures of information, both of which involved materials published in the Boston Globe. One unauthorized disclosure was associated with the identity of an informant, and the other concerned information derived from an extremely sensitive public corruption investigation.

The Manual of Administrative Operations and Procedures (MAOP), Part I, Section 1-19 (1) requires all FBI personnel to keep information acquired in their official capacities strictly confidential, and MAOP, Part II, Section 5-1 et seq. generally prohibit contacts with the media concerning investigative matters by any personnel other than Special Agents in Charge, Assistant Special Agents in Charge, and media representatives. At the time of your unauthorized disclosures, the Special Agent in Charge of the Boston Division had adopted a policy mandating that no employee of the Division should have any contact with, or make any type of statement to, any member of the media without his or an Assistant Special Agent in Charge's authorization. Your conduct in both disclosure incidents violated the aforesaid regulations and policies, and your judgment in each instance was unacceptable for any Agent, let alone one of your tenure and experience. In fact, your conduct created exactly the type of situation which those regulations and policies were devised to avoid.

SUBJECT TO PROTECTIVE ORDER

67-693564-120

1 - SAC, Boston (Personal Attention) - Enclosure (See Note Page 2)
67-693564
1 - OPR (263-1015)
1 - Boston Division Personnel File
Based on memorandum from J. N. Meisten III to Mr. Kennedy, 7/11/90,
JFH:jll.
JFH:jll (6)

4 OCT 12 1990

MAILED 1
JUL 20 1990
FBI

APPROVED:
Director
Dep. Dir.
ADD-Adm.
ADD-Inv.
Adm. Servs.
Crim. Inv.
Off. of Liaison & Int. Affs.
Public Affs.

OCT 12 1990

EXHIBIT
843

Mr. John M. Morris

In assessing your culpability in this matter, I have weighed your prior exemplary performance, steadfast assurance that you had not intended any unauthorized disclosures, and the trying personal circumstances with which you were confronted at the time of the incidents. However, I still cannot excuse the unprofessional deportment and unacceptable judgment you exhibited by your conduct, particularly since I believe you also exhibited a general lack of forthrightness concerning your media contacts both with your Special Agent in Charge and during the administrative inquiry.

Accordingly, to impress upon you the seriousness with which I view your conduct in this matter, I am placing you on one year's probation and suspending you from duty without pay from the close of business July 20, 1990 through the close of business August 3, 1990. During this period, your overall performance and effectiveness as a Supervisory Special Agent will be carefully reviewed, and I expect that I will not have such issues concerning you brought to my attention again. Should there be any such recurrence, I want to assure you that I will not hesitate to take more severe administrative action, up to and including dismissal.

Very truly yours,

/S/

Weldon L. Kennedy
Assistant Director
Administrative Services Division

NOTE: The enclosed letter should be delivered to the employee at which time it should be ensured that the employee fully understands the reason for the Bureau's action.

This employee should be closely supervised. At the expiration of one year, a recommendation should be submitted as to whether the employee should be removed from probation, at which time a determination will be made by the Bureau. Period of probation should begin the first working day upon return to duty.

Bureau property in the custody of this employee should be secured and retained until employee returns to duty.

Furnish employee with a copy of Standard Form 8, Notice to Federal Employee about Unemployment Compensation before he ceases duty.

SUBJECT TO PROTECTIVE ORDER

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PATRICIA DONAHUE, Individually, and in her Capacity as Administratrix of the Estate of MICHAEL J. DONAHUE, MICHAEL T. DONAHUE, SHAWN DONAHUE, and THOMAS DONAHUE, Plaintiffs,	)	CASE NO.: 01-CV-10433-RGS
v.	)	
FEDERAL BUREAU OF INVESTIGATION, JOHN J. CONNOLLY, JR., JOHN M. MORRIS, LAWRENCE SARHATT, ROBERT FITZPATRICK, and UNITED STATES OF AMERICA, Defendants.	)	

AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL

INTRODUCTION

This Complaint arises out of the murder of Michael J. Donahue, which occurred on May 11, 1982. The plaintiffs are the wife and children of Mr. Donahue, and Mr. Donahue's estate. It is alleged that the named defendants, former supervisors and agents of the Boston Field Office of the Federal Bureau of Investigation ("FBI-Boston"), along with the Federal Bureau of Investigation ("FBI") caused Mr. Donahue's murder, which was physically committed by James J. Bulger.

By this action, the plaintiffs seek redress for the defendants' unlawful and inappropriate actions which resulted in Michael J. Donahue's murder, including, *inter*

GENERAL ALLEGATIONS

A. Participants and the Relationship between FBI – Boston and Organized Crime

16. The defendant CONNOLLY became a Special Agent of the Federal Bureau of Investigation ("FBI") in November 1968. From February 1973 until his retirement in December 1990, CONNOLLY was assigned to the Boston Field Office of the FBI. See *Connolly Indictment*, at 1.[4]

17. From 1970 until in or about December 1995, the defendant MORRIS was an FBI Special Agent. From approximately March 1972 until approximately November 1991, MORRIS was assigned to the FBI's Boston Field Office ("FBI-Boston"). At all relevant times, MORRIS was a Supervisory Special Agent and the direct supervisor of CONNOLLY as head of FBI-Boston's Organized Crime Squad.

18. The defendant SARHATT was, at all relevant times beginning in 1979, the Special Agent in Charge ("SAC") of FBI-Boston, and therefore the supervisor of CONNOLLY and MORRIS. In this role, SARHATT was first in command of FBI-Boston.

19. The defendant FITZPATRICK was, at all relevant times beginning in January 1981, the Assistant Special Agent in Charge ("ASAC") of FBI-Boston, and therefore the supervisor of CONNOLLY and MORRIS. In this role, FITZPATRICK was second in command of FBI-Boston.

20. At all times material to this Complaint, James J. Bulger ("Bulger") and Stephen Flemmi ("Flemmi") were leaders of the Winter Hill Gang, "a clandestine

[4] *United States v. John J. Connolly, Jr. et al*, U.S. District Court for the District of Massachusetts, Docket No. 99-CR-10428-JLT, Paper # 158, Superceding Indictment, returned and filed October 11, 2000. The plaintiffs expressly incorporate the entirety of this superceding indictment herein.

The Commonwealth of Massachusetts
Advisory Board of Pardons
27-43 Wormwood Street, Suite 300
Boston, Massachusetts 02210-1606
(617) 727-3271

In the matter of
JOSEPH SALVATI
Petitioner for Commutation
OPINION

YOUR EXCELLENCY

The Advisory Board of Pardons respectfully submits this report and recommendation concerning the commutation petition of Joseph Salvati. Mr. Salvati is serving a life sentence for murder in the first degree imposed on July 31, 1968 in Suffolk Superior Court.

The Board conducted a public hearing regarding this petition on August 21, 1989.

After due consideration, the Advisory Board of Pardons, by unanimous vote, recommends approval of this petition. The reasons for this recommendation are set forth below:

The transcript from trial, as summarized by the Supreme Judicial Court, demonstrated that a conspiracy to murder Deegan and Stathopolous was hatched in January 20, 1965 when codefendant Peter Limone, a "loan shark", offered codefendant Joseph Barbosa $7,500 to kill Deegan. This "contract" for Deegan's life was approved by the "office" (the Cosa Nostra), and was being offered because Deegan participated in various acts against "the organization." The results of Limone and Barbosa's conversation are unclear. However, Barbosa then proceeded to hire help for the killing. The people he hired were Ronald Cassesso, Chico Amico, Romeo Martin, Louis Greico, Wilfred Roy French, and Joseph Salvati.

Mr. Salvati was initially involved in the crime by Cassesso, an associate of Barbosa. According to Barbosa, he did not know Salvati until February 1965. On March 12, 1965 Cassesso approached Salvati and convinced him to join the conspiracy. At some point the co-conspirators agreed to divide the fee for the "contract", and Salvati was promised $750 for the Deegan killing and an unspecified amount for the Stathopoulos killing.

On March 12, 1965, the day of the killing, at

> [a]bout 7p.m. Baron, Cassesso, Salvati, Martin, and Amico met at the Fleet Street apartment. Salvati distributed silk gloves and, from a weapons stockpile kept by Cassesso, issued .357 magnums to Baron [Barbosa] and Cassesso. . . . Baron later gave Salvati his own .38. For disguises, Baron and Cassesso each "had phony glasses and a mustache," Salvati "had glasses and a mustache and a wig that made him look bald,". .

Id. at page 366.

At about 9 p.m. on March 12, 1965 Salvati was in the rear seat of a car with Barbosa driving and Cassesso in front. They parked around the corner from the alley where the killing was to take place. Salvati waited in the car while Barbosa and Cassesso got out and conferred with Greico and Martin, who were parked near them. Before getting

PROCEDURAL HISTORY

Petitioner, Joseph Salvati, after a trial by jury, was convicted in Suffolk Superior Court, on July 31, 1968, for the crime of being an accessory before the fact of murder in the first degree of Edward Deegan. Petitioner was sentenced to life imprisonment for Mr. Deegan's murder pursuant to Massachusetts General Laws, Chapter 265, section 1 and Chapter 274, section 2. The Petitioner was also convicted of one count of conspiracy to murder Edward Deegan, and one count of conspiracy to murder Anthony Stathopolous. For these crimes the petitioner was sentenced to two years to a house of correction which the court ordered served concurrently with the life sentence, and to a one year house of correction sentence ordered served from and after the two year sentence. The effective date of sentence was July 31, 1968.

The conviction was appealed, and on May 4, 1970 the Supreme Judicial Court affirmed the judgment.

FACTS OF THE CRIMINAL OFFENSE

The facts of Mr. Salvati's offense are gleaned from the Supreme Judicial Court's opinion in Commonwealth v. Wilfred Roy French (and five companion cases), 357 Mass. 356 (1970), attached hereto as Exhibit D.

On March 12, 1965, at 11 p.m. in Chelsea, Edward Deegan was found dead with six gunshot wounds in his body. Approximately one and one-half hours earlier, Anthony Stathopolous, Wilfred Roy French, and Edward Deegan were attempting to rob a store in Chelsea. Deegan and French entered an alley; a volley of shots rang out; French reappeared, joined by another man identified as Louis Greico who had a gun in his hand; someone said "get him too"; and Stathopolous sped away.

back into their car, the two bent the license plates so as to obscure the numbers. They drove around "several blocks" and waited. According to plans made previously, Salvati was to take the wheel and block Stathopoulos' car so he could not escape. Before this could happen, a passer-by in civilian clothing (later identified as a Chelsea police captain) noticed the bent plates and started to approach the car. Barbosa, thinking that the passer-by was the "law", became frightened and sped away. He dropped off Cassesso to warn Amico about the problem, and he and Salvati unbent the license plates.

Barbosa and Salvati then went to the Ebb Tide Restaurant to wait for the others to arrive. They later did, and reported that Deegan had been killed, but that Stathopoulos had gotten away. According to Barbosa's trial testimony, French arrived about a half hour later and said that he, Greico, and Martin had killed Deegan. French was surprised to see Stathopolous leaving the scene of the crime, expecting him to be killed also. Barbosa then related his side of the story.

On the next day Salvati received his share of the money from Barbosa in Cassesso's apartment as did Amico and Martin.

SOCIAL HISTORY

FAMILY

Joseph L. Salvati was born on October 30, 1932 in Boston, Massachusetts to Mary (Repucci) and Anthony Salvati. Petitioner is the second of five children. He has two brothers and two sisters.

On August 23, 1953, at the age of 20, the petitioner married Marie Moschella, also of Boston. The marriage resulted in five children: four daughters and one son. One daughter, who suffered from Down's Syndrome, died at the age of three. The current

ages of the other four children are 36, 34, 32, and 28. The petitioner was reported to have been a good husband and father. The marriage had been a happy one with the petitioner supporting the family adequately.

To date, the petitioner has remained married to his wife. She currently resides in Boston. According to a classification report dated August 3, 1988 the petitioner receives strong family support from his wife and four children. He receives weekly visits from family members which include his wife, children, parents, and in-laws.

EDUCATION

Mr. Salvati attended the Michaelangelo School through the ninth grade. He then attended Brighton High School and graduated from there in 1951.

EMPLOYMENT

At the time of his arrest, the petitioner was employed as the manager at Eric's Lounge on Washington Street in Boston. He had been so employed for one month. Prior to this, the petitioner had been employed primarily as a truck driver working for various companies including the Service Express Company of Everett, the DiNapoli Trucking Company of South Boston, the Fish Transportation Company of Boston, and the Central Beef Company of Roxbury. He has also worked on a fish pier loading boats. Mr. Salvati had consistently worked prior to his incarceration.

MILITARY

Petitioner has no prior military involvement.

PRIOR CRIMINAL RECORD

Mr. Salvati's criminal record consists of the following convictions and court appearances:

1. **Larceny:**

   Suffolk Superior Court. The petitioner was arrested in April 1955 for the above crime, but was not convicted. This crime is related to the following two offenses.

2. **Breaking and Entering a Building in the Nighttime:**

   Suffolk Superior Court. Petitioner was arrested in April 1955 for the above crime. On June 8, 1955 he received a one year house of correction sentence. This sentence of imprisonment was suspended and Mr. Salvati placed on probation for three years. Probation ended successfully on June 25, 1958.

3. **Possession of Burglar's Instruments:**

   Suffolk Superior Court. Petitioner was charged in May 1955 with the above crime. He was sentenced on June 8, 1955 to a one year house of correction sentence and three years probation. This sentence ran concurrently with the one related above. Probation ended as above.

4. **Not Keeping Right While Travelling on a Public Way:**

   Middleborough Court. Petitioner was convicted in August 1958 for the above crime, and was ordered to pay a twenty dollar fine.

5. **Speeding:**

   Westborough Court. Petitioner was convicted in December 1960 for the above crime, and was ordered to pay a fifteen dollar fine.

6. **Larceny:**

   Boston Municipal Court. Petitioner was charged with the above crime in May 1966. The charge was filed later that month. This charge is related to the following two offenses.

7. **Receiving Stolen Goods:**

   Boston Municipal Court. Petitioner was charged with the above crime in May 1966. The charge was filed later that month.

8. **Conspiracy to Steal:**

Boston Municipal Court. Petitioner was charged with the above crime in May 1966. The charge was filed later that month. This charge is related to the above two offenses.

9. **Isolated Stop Street:**

Boston Municipal Court. Petitioner was charged with the above crime in July 1966. He defaulted.

INSTITUTIONAL HISTORY

Mr. Salvati is 58 years of age and has been incarcerated for the past 23 years. This is his first incarceration of any kind.

CHRONOLOGICAL MOVEMENT

Mr. Salvati's institutional record indicates the following movement through the system:

July 31, 1968	Sentenced and committed to MCI-Walpole.
August 31, 1973	Transferred to MCI-Framingham.
Dec. 18, 1981	Transferred to Bay State Pre-Release Center.
January 6, 1982	Returned to MCI-Concord (pending investigation into gambling activities)
January 6, 1983	Transferred back to Bay State Pre-Release Center (exonerated of all charges)
January 11, 1983	Transferred to Park Drive Pre-Release Center.
January 8, 1986	Returned to MCI-Concord (pending investigation, nature unknown)
June 10, 1986	Transferred back to Park Drive Pre-Release Center (cleared of any wrongdoing)

Dec. 14, 1986	Returned to MCI-Concord (pending investigation, disciplinary report subsequently issued for selling watches to inmates)
Feb. 20, 1987	Transferred to Northeastern Correctional Center.
Dec. 30, 1987	Returned to Old Colony Correctional Center, per Commissioner's special emergency powers.
April 8, 1988	Transferred to MCI-Norfolk.

Mr. Salvati's institutional record indicates four returns to higher custody. However, the only return which appears to have been for disciplinary reasons was that of December 14, 1986. The prior two returns were for suspected wrongdoing. However, Mr. Salvati was cleared of any wrongdoing both times. The most recent return to Old Colony Correctional Center was a result of his first degree lifer status and the projected amendment of the General Laws to exclude offenders serving a life sentence for first degree murder from furlough eligibility and minimum security housing. M.G.L. c. 127, s. 90A, as amended by 1988 Mass. Laws c. 24.

DISCIPLINARY HISTORY

The petitioner has received only three disciplinary reports in 23 years of incarceration. All have resulted in guilty findings. The dates, offenses, and dispositions are as follows:

January 1, 1975	Under the influence, being present where contraband is found (wine, whiskey, vodka). Guilty, assigned eight hours extra work.
June 19, 1975	Abusive language. Guilty, given a warning.
January 6, 1987	Disobeying an order, giving or accepting anything of value (selling watches to inmates). Found guilty and given five days isolation, suspended for 30 days, with the recommendation that Mr. Salvati retain his minimum security status. However, Mr. Salvati was returned to higher custody as a result of this activity.

PROGRAM INVOLVEMENT

Mr. Salvati's program involvement has been minimal throughout his incarceration. His activities are mostly confined to work positions. His more responsible work assignments include being manager of the co-op store and clerk to the Catholic chaplain. He also worked in the Community Program for the Elderly, which involves activities such as escorting the elderly on walks and doing their shopping. The petitioner's program involvement consists of participating in Computer Fundamentals at MCI-Framingham and the Italian-American Club at MCI-Norfolk. There is also some indication of some volunteer work as a carpenter's assistant.

FURLOUGH INVOLVEMENT

According to Department of Correction records, Mr. Salvati successfully completed 176 furloughs during his incarceration, starting in December 24, 1973 from MCI-Framingham and ending in November 29, 1988 from Park Drive Pre-Release Center. Petitioner also participated in the furlough program while at Bay State Pre-Release Center. Petitioner claims to have participated in 204 furloughs while incarcerated. Petitioner is now precluded from furloughs due to his first degree lifer status. M.G.L. c. 127, s. 90A.

Mr. Salvati's furlough sponsor was his wife, Marie Salvati of Boston. He spent his furloughs visiting with his family and speaking to church groups, youth groups, and other community organizations in the North End of Boston.

FUTURE PLANS

If granted a commutation of sentence and released from incarceration, Mr. Salvati will reside at the home of his wife at 18 Wiget Street, Boston, Mass. He will try to become closer to his family of four children and four grandchildren.

He plans to work for the Marotta Companies, located at 92 High Street in Medford, Mass., a company owned by Angelo Marotta, Mr. Salvati's first cousin.

COMMUNITY SENTIMENT

Five individuals appeared at Mr. Salvati's commutation hearing in support of his release from incarceration. In addition, there are letters of support from individuals in the community, including the prosecuting attorney from his trial and the policeman who conducted the investigation.

No one spoke in opposition to the commutation. The Advisory Board received a letter opposing commutation from the Office of the District Attorney for Suffolk County.

PROCEEDINGS BEFORE THE BOARD

Mr. Salvati appeared before the full available membership of the Advisory Board of Pardons on August 21, 1989. The members present included then-chairman John J. Curran, present chairman Robert P. Gittens, Donald Myers, Ruth Suber, and Joyce Hooley.

At his hearing Mr. Salvati denied having any involvement with the contract killing of Edward Deegan. He also denied ever personally knowing any of the persons allegedly involved with the killing, having only "seen them around" the North End. He admitted, however, that his connection to Mr. Barbosa was more than a passing acquaintance, but such was limited to borrowing a sum of money once from Mr. Barbosa.

The Advisory Board pointed out to the petitioner that he admitted in his trial that he had been in an apartment with Mr. Barbosa and Mr. Cassesso once when Mr. Barbosa stabbed a Mr. Juan Silvetti, who had been chased into the apartment building by Mr. Barbosa. Petitioner admitted this to be true, but said that he was not there as part of the crime, but only to talk to Mr. Barbosa about other things. He also claimed that he was never in the apartment, but only out in the hallway when the stabbing occurred.

Mr. Salvati emphasized that his conviction was based solely on Mr. Barbosa's testimony, and claimed that he was framed by Mr. Barbosa because of a "grudge" that Barbosa held against him. This feeling of malice involved a repayment of a loan from Mr. Barbosa. Petitioner claims that he once borrowed $400 from Barbosa and his partner, a Mr. Tashi. He paid them back as he could, but the interest caused the amount owed to grow very quickly. Mr. Salvati believes that he paid back at least $1000 before he refused to pay anymore. When he was threatened by Mr. Barbosa, he didn't acquiesce to his demands, fostering Mr. Barbosa to hold a deep-seated resentment against him that later led to his being named as a party to the killing.

When questioned on these statements, Mr. Salvati stated that Barbosa was an "evil" man who would do such a thing just to get revenge. He also pointed out that his conviction was based solely on Mr. Barbosa's testimony.

Petitioner was in the Charles Street Jail awaiting trial for ten months. His lawyer visited him only three times during this incarceration. At the time Mr. Salvati gave the lawyer leads to investigate as to his whereabouts on the evening of the crime, but his lawyer never followed up on them, nor did he produce any of the requested witnesses. Mr. Salvati does not now remember where he could have been that night.

Mr. Salvati claims that he never took a polygraph test to help verify his story, that he was given no opportunity to plea bargain, and that he was never asked to be a witness for the Commonwealth.

Before his arrest Mr. Salvati claims to have worked three jobs, but none regularly. He claims to have always been employed, either as a longshoreman, a truck driver, or at the coliseum. These were daily jobs with no regular paycheck.

Mr. Salvati claims that he has not stopped working since his first week of incarceration. He has worked in the print shop and was the clerk for Father Foley at MCI-Walpole. While he was there, he also helped form an art club and a Christian Action Group choir. He also claims to be the first lifer to get a furlough.

In 1973 he was transferred to MCI-Framingham as a Cadre cook. He then got a job as the manager of the co-op store, where he handled money, orders, and inventory. He then went to Park Drive Pre-Release, where he worked as a Cadre cook and was responsible for the kitchen for four and one-half years. While there, he also helped an elderly woman with her shopping and other chores.

The Advisory Board questioned Mr. Salvati about his only major Disciplinary Report, received in January 1987. According to Mr. Salvati, he went on a furlough and bought some inexpensive watches for Christmas gifts. He had them in the kitchen where

he was working and one of the other inmates commented on them. Petitioner lent them to the inmate to show to his wife, and asked him not to offer them to anyone else. Petitioner said that if the inmate's wife liked them he would tell the inmate where to get them. The inmate was later caught trying to sell the watches to other inmates, and they both received disciplinary reports. Petitioner denies having any intention of selling the watches.

The Board also questioned a link between the petitioner and Frank Oreto. In 1986 Mr. Salvati was reprimanded for consorting with Frank Oreto, who at the time was under investigation for and currently is under indictment in the U.S. District Court, Boston, for loansharking and other rackeetering activities. Petitioner said that the only reason for his contacting Mr. Oreto was his interest in selling him a car. Petitioner claims that his son couldn't sell an antique car that he owned, and someone at Park Drive Pre-Release mentioned that Frank Oreto was interested in antique cars. This person also mentioned that Mr. Oreto worked at Fassad's Restaurant. Mr. Salvati looked up the number and called him there to discuss the possibility of his purchasing the automobile. Mr. Oreto later came to look at the car, but was not interested. During the course of their talks, Mr. Salvati called Mr. Oreto a few times both at home and at work, and discussed not only the automobile, but plans for his son's wedding, which Mr. Oreto had suggested be held at Fassad's. Mr. Salvati's voice was recorded on a wiretap during an investigation of Mr. Oreto, but no charges were filed against Mr. Salvati.

When asked about his future plans, Mr. Salvati stated that he would work for his first cousin Angelo Marotta at Marotta Realty in Medford. He plans to maintain his family, which now numbers four children and four grandchildren.

Five people spoke in favor of the commutation of Mr. Salvati. They were his wife, Marie Salvati, his daughter Maria, his daughter Gail, his cousin Angelo Marotta, and Arthur Latessa, currently the superintendent of MCI-Norfolk. In addition, two letters were

received in his support - one from Jack Zalkind, the prosecutor of the original case (now in private practice), and one from Detective Sergeant Frank Walsh, retired, of the Boston Police Dept., the chief investigator of the original crime.

OPINION OF THE ADVISORY BOARD OF PARDONS

Notwithstanding Mr. Salvati's continued assertion of innocence with regard to the offenses for which he is imprisoned, the Board premises its analysis of this petition on Mr. Salvati's having been lawfully convicted of all offenses and that the convictions in this case remain undisturbed despite subsequent court reviews. As such the Board looks to other factors in assessing the appropriateness of this petition.

Mr. Salvati has served over 22 years of incarceration for this offense in an exemplary fashion, compiling a very impressive institutional record. He accumulated only three disciplinary reports during this entire period. Until being barred from the furlough program because of his status as a first degree lifer, he had successfully completed slightly under 200 furloughs.

In addition to strict adherence to the rules and regulations of the various institutions in which he has been incarcerated, Mr. Salvati has been a productive member of the prison population, consistently holding positions of responsibility in practically all of the various institutions in which he has been housed. His hard work and good attitude have won him the praise of many correctional officials, including the superintendent of MCI-Norfolk.

The Advisory Board also weighs the petitioner's very limited role in the offense in considering this petition. Mr. Salvati was always considered by law enforcement officials as the least important of the six participants in the crime. His role in the offense was

limited in nature, having nothing to do with the planning of the crime, and nothing to do with it's actual execution. Indeed, he was charged as an accessory before the fact and with conspiracy to murder. The jury recommended that the death penalty not be imposed, albeit, such was recommended for one other defendant (French). Further, the petitioner has a limited prior record, with no violent acts ever recorded prior to his most recent conviction.

An important consideration is the continued strong support of his entire family during his over 22 years of incarceration. Most of his numerous furloughs were taken to visit them. This support shows that the petitioner will have a stable place to live if he is allowed out of prison.

It is also worthy to note that both the prosecutor of the case, Attorney Jack I. Zalkind, and the chief investigating officer, former Detective Sergeant Frank Walsh, have written in support of commutation for the petitioner. Attorney Zalkind indicated to the Advisory Board that had Mr. Salvati offered to plead guilty to second degree murder prior to the trial, the Court would have accepted his plea. Had the petitioner so plead, he would be eligible for parole after serving fifteen years of his sentence.

Finally, and importantly, in consideration of all the cumulative factors in this case, the Advisory Board believes that the petitioner is unlikely to be involved in any further criminal activity and therefore does not pose a risk to the safety of the community. This opinion is shared by law enforcement officials.

RECOMMENDATION

The petitioner, Joseph Salvati, has maintained an exceptionally favorable institutional record throughout his more than 22 years of incarceration. This fact, along with his limited participation in the crime, strong family support, and the support from the prosecuting assistant district attorney and the chief investigating officer, combine to make a case for a favorable recommendation for Your Excellency.

The Board notes the opposition of the District Attorney for Suffolk County to any relief for this petition. We believe, however, that in balancing all of the factors presented by this petition, a grant of executive clemency is warranted at this time.

Accordingly, the Advisory Board of Pardons recommends commutation of Joseph Salvati's life sentence to a term of 33 years to life. If Mr. Salvati's life sentence is commuted to said term of years, the Board would establish parole eligibility after Mr. Salvati serves one year in a pre-release center.

Respectfully submitted,

Advisory Board of Pardons

Robert P. Ellens

Joe Hooley

Donald J. Mayers

Carl C. Oliver

John J. Curran, Jr. (BJ)

April 29, 1991

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

PATRICIA DONAHUE, Individually, and in her Capacity as Administratrix of the Estate of MICHAEL J. DONAHUE, MICHAEL T. DONAHUE, SHAWN DONAHUE, and THOMAS DONAHUE, Plaintiffs,	)	CASE NO.: 01-CV-10433-RGS
v.	)	
FEDERAL BUREAU OF INVESTIGATION, JOHN J. CONNOLLY, JR., JOHN M. MORRIS, LAWRENCE SARHATT, ROBERT FITZPATRICK, and UNITED STATES OF AMERICA, Defendants.	)	

AMENDED COMPLAINT AND DEMAND FOR JURY TRIAL

INTRODUCTION

This Complaint arises out of the murder of Michael J. Donahue, which occurred on May 11, 1982. The plaintiffs are the wife and children of Mr. Donahue, and Mr. Donahue's estate. It is alleged that the named defendants, former supervisors and agents of the Boston Field Office of the Federal Bureau of Investigation ("FBI-Boston"), along with the Federal Bureau of Investigation ("FBI") caused Mr. Donahue's murder, which was physically committed by James J. Bulger.

By this action, the plaintiffs seek redress for the defendants' unlawful and inappropriate actions which resulted in Michael J. Donahue's murder, including, *inter*

GENERAL ALLEGATIONS

A. Participants and the Relationship between FBI – Boston and Organized Crime

16. The defendant CONNOLLY became a Special Agent of the Federal Bureau of Investigation ("FBI") in November 1968. From February 1973 until his retirement in December 1990, CONNOLLY was assigned to the Boston Field Office of the FBI. See *Connolly Indictment*, at 1.[4]

17. From 1970 until in or about December 1995, the defendant MORRIS was an FBI Special Agent. From approximately March 1972 until approximately November 1991, MORRIS was assigned to the FBI's Boston Field Office ("FBI-Boston"). At all relevant times, MORRIS was a Supervisory Special Agent and the direct supervisor of CONNOLLY as head of FBI-Boston's Organized Crime Squad.

18. The defendant SARHATT was, at all relevant times beginning in 1979, the Special Agent in Charge ("SAC") of FBI-Boston, and therefore the supervisor of CONNOLLY and MORRIS. In this role, SARHATT was first in command of FBI-Boston.

19. The defendant FITZPATRICK was, at all relevant times beginning in January 1981, the Assistant Special Agent in Charge ("ASAC") of FBI-Boston, and therefore the supervisor of CONNOLLY and MORRIS. In this role, FITZPATRICK was second in command of FBI-Boston.

20. At all times material to this Complaint, James J. Bulger ("Bulger") and Stephen Flemmi ("Flemmi") were leaders of the Winter Hill Gang, "a clandestine

[4] *United States v. John J. Connolly, Jr. et al*, U.S. District Court for the District of Massachusetts, Docket No. 99-CR-10428-JLT, Paper # 158, Superceding Indictment, returned and filed October 11, 2000. The plaintiffs expressly incorporate the entirety of this superceding indictment herein.

Memorandum

To : SAC, BOSTON (29A-BS-59014) (P) (C-11) Date 11/25/91

From : SA JEAN F. WYNN

Subject: ANGELO MAROTTA,
dba BEACH REALTY TRUST;
MAROTTA COMPANIES REALTY TRUST;
HOMEOWNERS SAVINGS BANK;
BURLINGTON, MASS. - VICTIM
BF&E
OO: BS

DOMENICO'S PASTRY SHOP, 4110 Mystic Valley Parkway, Medford, Mass., telephone [redacted], is an Italian pastry and coffee shop, hours Sunday - Thursday, 7 a.m. to 12 midnight, Friday and Saturday, 7 a.m. to 2 - 3 a.m. It is located approximately in the middle of a strip of about eight stores, which includes a LENS CRAFTERS shop, a baby furniture shop and a video rental. The strip of stores was built within the last two years.

Until about three months ago, DOMENICO'S occupied the last store front, that is, the northeast corner location. [redacted] Writer herself observed MAROTTA at DOMENICO'S on 11/19/91 at approximately 11 a.m. seated alone near the front window of the establishment, making phone calls on a cordless telephone. Both he and others in the shop appeared very alert to who was coming in or walking by to the extent of seeming "surveillance conscious."

1 - 92A-2557 (C-3)
1 - SSA MORRIS (C-1)
2 - 29A-BS-59014
JFW/dw
(4)

SEARCHED
SERIALIZED
INDEXED
FILED

EXHIBIT 847

FBI — BOSTON

29A-BS-59014

[redacted]

B

It is noted that JOE "The Horse" SALVATI is a first cousin of MAROTTA and during a letter-writing campaign to win a sentence commutation for SALVATI, MAROTTA was able to obtain a favorable letter from state department of corrections official MICHAEL FAIR. In 1989, FAIR was hired as president of MAROTTA COMPANIES.

[redacted]

B

The Tulsa Tribune
Copyright 1992

Thursday, January 23, 1992

NEWS

Reputed mobsters admit racketeering
AP

BOSTON (AP) _ Five reputed mobsters pleaded guilty Wednesday to charges including racketeering, drug trafficking and conspiracy to commit murder in the climax of a five-year federal crackdown on organized crime.

But each denied belonging to any syndicate.

Under a plea agreement reached on the 12th day of their trial, they will serve from 13 to 22 years in prison and forfeit millions of dollars in assets.

The government agreed to grant the men immunity from prosecution for two murders and an attempted murder. The defendants also will be spared having to testify in future probes of the New England mob.

The deal will be formalized when U.S. District Judge Mark Wolf convenes a formal sentencing hearing April 9.

Raymond "Junior" Patriarca, whose father founded the New England Patriarca crime family, pleaded guilty himself last month to conspiracy and racketeering charges. Patriarca also denied belonging to a syndicate.

Tom Hughes, FBI special agent in charge, said the defendants were members of the Patriarca family. He said the guilty pleas "will take this family off the face of the map."

The case was distinguished as the first instance in which law enforcement authorities tape-recorded an apparent Mafia initiation ceremony, complete with secret oaths. The same evidence helped convict eight other New England Patriarca crime family operatives in Hartford, Conn., in August 1991.

Joseph Russo, 60, allegedly ran mob operations in the Boston area in the 1980s and is suspected in the 1976 San Francisco murder of a Mafia informant.

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He acknowledged that the government had sufficient evidence to convict him of murder, and the judge found him guilty of conspiracy to commit murder.

Russo will have to serve 16 years and forfeit $758,000. He will be immune from prosecution for the 1989 murder of a Hartford mob underboss and the attempted murder of a reputed Boston Mafia soldier.

"I do not admit that I am a member of La Cosa Nostra, the Patriarca family or the Mafia," Russo said. "What I do admit is that I am associated with my co-defendants."

The other defendants each made that caveat a condition of their guilty pleas.

Vincent Ferrara, got 22 years and won immunity from prosecution for murder and attempted murder. He was ordered to pay $1.1 million.

Robert Carrozza, 51, was given 19 years and ordered to pay $878,200. He received immunity from prosecution for murder and attempted murder.

Dennis Lepore, 45, got 14 years and will have to pay $766,700. Carmen Tortora, 44, was given 13 years and will have to pay $2,000.

---- INDEX REFERENCES ----

EDITION: FINAL HOME

Word Count: 422

1/23/92 TULSAWORLD 4A

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The Orange County Register

Thursday, January 23, 1992

NEWS

NATION BRIEFLY
:From Register news services

Sheriff kills self 1 day after theft probe launched

A sheriff fatally shot himself Wednesday in Bristol, Va., a day after a grand jury began investigating whether he embezzled $370,000 in payments to house out-of-town prisoners in his jail, authorities said.

Sheriff Marshall E. Honaker, 55, shot himself in the chest with a 12-gauge shotgun, City Manager Paul Spangler said. Honaker, who was found in his office, was pronounced dead on arrival at Bristol Regional Medical Center in Tennessee.

Honaker took a leave of absence and resigned as president of the National Sheriff's Association after federal agents raided his office and home Jan. 10 and seized evidence for their investigation.

5 plead guilty: Five accused members of New England's largest crime family pleaded guilty Wednesday in Boston to racketeering, kidnapping and murder charges but denied they belonged to the Mafia.

During a daylong change-of-plea hearing held on the day that was to have been the start of their trial, guilty pleas were offered by Joseph Russo, Vincent Ferrara, Robert Carroza, Dennis LePore and Carmen Tortora.

The five were accused members of the Patriarca crime family, a Providence, RI, organized crime group believed to be the largest in New England.

"In pleading guilty I do not admit to membership in La Cosa Nostra, The Family, the Mafia or any secret organization," Russo told the court. "I admit to being a member of an enterprise that committed the stated crimes."

The other four also denied they were members of the Mafia.

Tips for tools? A killer stockbroker was returned to New Haven,

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Conn., on Wednesday as authorities investigated the possibility that he got prison staff to smuggle him escape tools in exchange for stock market tips.

Frank Vandever, a former stockbroker serving a 40-year sentence for killing a client, was captured in New Jersey on Saturday, 18 days after he and another inmate escaped from Somers State Prison.

State Police Lt. Eugene Sullivan said the tips-for-tools scenario was one of many leads being investigated.

Bumpers blasted: The bumpers on most small domestic and imported passenger cars are poorly constructed and fail to prevent costly damage in low-speed crash tests, an insurance industry research group said Wednesday in Washington, DC.

Reporting on the results of tests in which two dozen cars were deliberately rammed into a variety of barriers at 5 mph, the Insurance Institute for Highway Safety said it is clear that the auto industry has "bumped damage resistance to a secondary concern."

Ex-teacher on trial: Former schoolteacher Carolyn Warmus went on trial Wednesday in White Plains, NY, for the second time, accused of murdering the wife of her lover in a case dubbed the "Fatal Attraction" trial.

Warmus, 28, allegedly killed Betty Jeanne Solomon on Jan. 15, 1989, in the Solomons' Greenburgh, NY, apartment.

Her first trial ended last April with a hung jury and was declared a mistrial.

William Aronwald, Warmus' defense attorney, told the six-man, six-woman jury in opening statements at Westchester County Court that the murderer may have been Warmus' lover, Paul Solomon, also a schoolteacher.

Honda recalls cars: American Honda Motor Co. is recalling about 27,000 1992 model cars in the United States to replace an oil pressure switch that could cause an engine oil leak.

Models include the Honda Accord, Civic and Prelude, as well as the Acura Legend and Integra sedans made by Honda's luxury division. All cars were built in Japan between early November and early December, company spokesman Kurt Antonias said.

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6/17/92 PR Newswire

PR Newswire
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Wednesday, June 17, 1992

FORMER **PATRIARCA** BOSS SENTENCED TO AN EIGHT YEAR TERM

BOSTON, June 18 /PRNewswire/ -- The former Boss of the **Patriarca** Family of La Cosa Nostra was sentenced to an eight-year term of imprisonment today following his plea of guilty to charges of racketeering and violations of the Travel Act.

U.S. Attorney A. John Pappalardo announced that the Honorable Mark L. Wolf sentenced Raymond J. **Patriarca** to a 97- month term of incarceration followed by a three-year period of supervised release and a $50,000 fine. In addition, Judge Wolf ordered that **Patriarca** pay for the costs of his imprisonment and supervised release which total in excess of $125,000. In limiting the defendant's sentence to eight years, the Court rejected the government's requests to impose a harsher sentence. Pappalardo stated that the government was disappointed by the sentence imposed, noting that "the evidence presented to the Court would have fully supported the imposition of a substantially higher sentence." Pappalardo also observed, that with credit for time served and further reductions as a result of "good time," the defendant may be released in less than five years.

Patriarca headed the Family for over six years, becoming the Boss after the death of his father in 1984. **Patriarca** presided over a Mafia induction ceremony held in Medford, Mass. on Oct. 29, 1989. That induction ceremony was secretly tape recorded by the Federal Bureau of Investigation pursuant to court order.

Patriarca's co-defendants, Joseph Russo, Vincent Ferrara, Robert Carrozza, Dennis Lepore and Carmen Tortora, have been convicted and sentenced to terms of imprisonment ranging from 13 to 22 years. Co-defendant Pasquale G. Barone's case was severed from that of his co-defendants and he is awaiting trial. Co- defendant Angelo J. Mercurio is currently a fugitive.

The investigation was conducted by Special Agents of the Federal Bureau of Investigation and Detectives of the Boston Police Department, with assistance of the Massachusetts State Police. The case was prosecuted by Assistant U.S. Attorneys Jeffrey Auerhahn, Gregg L. Sullivan and James D. Herbert of the Organized Crime Strike Force Division of the U.S. Attorney's Office.

---- INDEX REFERENCES ----

NEWS SUBJECT: Law Enforcement (LEN)

REGION: Massachusetts (MA)

Word Count: 336
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