

HOMOTHUG



THE SECRET LIFE OF RUDY GIULIANI

A J WEBERMAN

HOMOTHUG

**THE BOOK THAT WAS
SUPRESSED BY RUDY
GIULIANI**

A.J. Weberman

HOMOTHUG

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GIULIANI CENSORS HOMOTHUG

On February 12, 2009 I received this email:

Dear Mr. Weberman,

Thank you for your interest in BookSurge. While we appreciate your business, we are connecting with you today as we will be unable to continue the production of "Homothug" moving forward. This title has been removed from an available status through BookSurge as well as from your account. Please note that we are also refunding you \$199.00 that was paid for this submission. Thank you once again for your interest in our company. We look forward to working with you on other future projects. Sincerely,

Executive Customer Relations

Bracewell and Giuliani prepared a massive lawsuit against Amazon but agreed not to file it as long as the book was removed from Amazon and no longer printed.

[The Columbia Spectator](#): *Homothug: The Secret Life of Rudy Giuliani* by A.J. Weberman: Weberman has dedicated most of his life to studying and writing about Bob Dylan, but apparently he's branching out. This book also has an awesome photo of Giuliani in drag on the cover, by the way.

Michael Musto of the [Village Voice](#) calls *Homothug* "shocking new book a rudy awakening for Giuliani "some audacious new book called *Homothug* is claiming...that Rudy was not only bi, but that his lover was a defrocked Catholic cleric and child rapist!"

POLITICIANS GONE WILD

President Clinton engages in oral-anal sex with Monica Lewinsky in the White House. Senator Larry Craig arrested for offering complete strangers oral sex in an airport men's room. New



York State Governor Elliot Spitzer has unprotected sex with high priced hookers while Governor Jim McGreevey of New Jersey double-teams his wife. Now it's the Rudy Giuliani - Alan Placa affair. Extensive research revealed Rudy is a bisexual and his butt buddy is the child rapist and defrocked priest Alan J Placa, who appears next to Rudy and his wife in the photo below taken in 2007. This explains why Giuliani consistently refused to denounce Placa and why to this day he is paying him hush money via a no-show job at Giuliani Partners. It also explained why Giuliani supported gay rights to a greater extent than any other Republican politician, even to the point of agreeing to perform gay marriages: Giuliani is a covert part of the gay community and thus, he personally related to the gays' struggle for equality. Too bad this Log Cabin Republican¹ mole couldn't relate to other just struggles, such as those of African-Americans and medical marijuana patients.

Rudy sucked up to Senator John McCain, hoping for a position in his Administration, had McCain been elected President. In May 2008 Rudy raised \$7M for McCain as Jewish

oligarchs² anted up at the Sheraton Hotel. A possible scenario had U.S. Attorney General and Rudy crony Michael Mukasey remaining in place then resigning and Rudy becoming the second gay Attorney General. – USAG Janet Reno claimed she was “an awkward old maid with a very great affection for men” yet her photograph is displayed at gay media award ceremonies. Senator McCain would have done a great disservice to the moral sensibilities of his constituency if he includes Rudy in his Cabinet or in his Administration unless there is an opening for a White House Men’s Room Attendant.

Giuliani also has ambitions of becoming the Governor of New York State. Before the upstate conservative Republicans nominate him, they should evaluate the evidence that leads this researcher to believe Rudy was what we called in 1950’s Brooklynese, “a switch hitter.” After that they should examine the life of Rudy’s paramour Alan J. Placa, whose high school graduation photo appears below and factor it into the equation.

First off, sexual aberration runs in the Giuliani family. It is no accident that the word “degenerate” contains the word “gene.” Harold Giuliani, Rudy’s biological father was bisexual and possibly a pedophile. He was arrested for “loitering for immoral purposes,” meaning he was caught with his pants down in a state park men’s room frequented by young boys. Harold was *on the down*



low. On the down low is slang for being in heterosexual relationships, yet having sex with other males unbeknownst to one’s wife and family. Harold had a nervous breakdown after his bi-sexuality was exposed and didn’t want to show his face at work. Rudy’s maternal cousin Lewis D’Avanzo AKA “Steve the Blonde” D’Avanzo was also bisexual. Research has shown

that male sexual orientation is substantially genetic. A two-year study of the rates of homosexuality in identical and non-identical twin brothers of gay men, as well as adoptive brothers of gay men revealed 52% of the identical twin brothers were gay, as against 22% of non-identical twins and 11% of the adoptive, genetically unrelated brothers.³

The first indication that this not yet fully understood genetic trait that appeared on both sides of his family had been passed on to Rudy surfaced when he was 13 years old. It was then that a lisping Rudy and a closeted gay student named Alan J. Placa met at Bishop Laughlin Catholic High School in Brooklyn. They became so close that then, and throughout their entire lives, nothing could pry them apart.

It was at Bishop Laughlin that Rudy & Alan along with another student, aptly named Peter Powers started an “opera society” as a means of discreetly making contact with other students who shared similar sensibilities. In his autobiography, *Leadership*, Giuliani admitted that he had no interest in girls until his senior year in high school. He also wrote that during this period in his life he had to keep his interest in effeminate subjects, such as opera and poetry, to himself, otherwise his classmates might think that he was “a sissy.” To overcompensate for the insecurity brought about by his sexuality Rudy took boxing lessons. After high school commencement Rudy and Alan both considered entering seminary school and becoming priests. That way they could spend their lives together as closeted homosexuals in socially acceptable circumstances. But Alan, Rudy and Peter decided to remain united and they attended the same low-rated Catholic school – Manhattan College.

The graduates Rudy and Peter attended New York University law school while Alan attended seminary school and became a Catholic priest. After passing the bar exam Rudy clerked for United States District Judge Lloyd MacMahon, a

very conservative fellow. At this juncture in his life Giuliani needed a *beard* to make him appear straight. *Beard* is gay slang for a woman married to or involved with a gay or bisexual man who helps to conceal the true nature of his sexuality. Giuliani entered into a non-traditional childless marriage with Regina Peruggi, his second cousin, childhood friend and confidant. Regina, who was also close to Alan Placa and Peter Powers, had kept the dirty little secrets of their high school years. In the early 1960's, Rudy was a liberal Democrat. His high school yearbook described him as "telling everyone how wonderful JFK was." Peruggi was socially unconventional and would later shack up with a Black nationalist. Judge MacMahon had no idea that this was a non-traditional marriage and partially as a result of Rudy's marital status recommended him for a position with the Department of Justice.

As a Reagan Administration Associate Attorney General in 1982, Giuliani hired a bisexual assistant U.S. attorney for Miami who had been fired by the Senate Intelligence Committee as a security risk. That year Father Placa had Rudy's marriage to Regina annulled and Rudy began co-habiting with his soon to be second wife, Donna Hanover, who had only an inkling of an idea that the relationship between Placa and Rudy was sexual.



It was at this juncture that Giuliani went *on the down low*. In order to hide his sexual relationship with Placa Rudy had Placa come to the couple's apartment at least once a week on the pretext of having a discussion about theology and philosophy. Rudy and Alan would retire to a private room where they would remain all night then Placa would leave the next morning. By this time, Placa had become a priest, had sexually attacked numerous young boys and was in the process of importing unaccompanied boys from Vietnam to a

facility he established on Long Island so he could sodomize them. Subsequently, Placa enrolled in law school, passed the bar exam, and became an attorney. In no time he was head of the Catholic Church's *Intervention Team* that would investigate complaints against other child rapist⁴ priests. This child-molesting mole saved numerous other child molesters from prison, put many back in contact with children and kept settlements with victims to a mere pittance. Placa was intent on keeping as many child rapists "on the street" as he could as he enjoyed seeing children raped, being a child rapist himself! Placa also murdered Raymond Trypuc, a victim of a priest-rapist who came to him for help with his addiction to cocaine. Placa gave him a large amount of cash that Raymond used to buy the cocaine he overdosed on. Placa also ran over an infant while driving on Church property and refused to pay the court ordered judgment. Alan J. Placa is *la scum de la scum*.

In 1993 Giuliani was elected Mayor of New York City. Peter Powers became Giuliani's Deputy Mayor. Gordon J. Campbell, an openly gay man, was Power's Chief of Staff. Placa became the Administration's semi-official priest. A new face appeared on the scene, Sunny Mindel, who would serve throughout the Giuliani Administration. Sunny was sympathetic to gays as her brother Lee was a gay interior decorator. The *opera club* finally had a female member and it was about to impose its agenda on New York City! Giuliani appointed more openly gay people to key positions in his Administration than any of his predecessors. His unprecedented support of gay rights resulted in the most far-reaching domestic partnership legislation in the United States. Giuliani supported the passage of a statewide sexual orientation non-discrimination bill.⁵ He maintained \$1.5 million in funding in the City's budget for the LGBT⁶ community center's capital campaign while cutting back on welfare payments to the poor.

Time and again Giuliani praised and hosted militant gay groups at Gracie Mansion, the mayor's official residence. His favorite such organization was *The Stonewall Veterans Brigade*, despite the fact they had physically attacked members of the New York City Police Department (NYPD) with rocks and bottles. Giuliani also allowed the Stonewall Veterans and other militant gays to march in parade up 5th Avenue that a federal judge had held to be illegal. This association with lawbreakers clashed with Giuliani's image as New York City's law and order mayor, but Giuliani's loyalty to the gay community came first: Mayor Giuliani marched in every Gay Pride Parade, once behind the banner of NAMBLA,⁷ declared *gay this and gay that day*, partially funded a gay Olympics, granted an interview to a gay pornographic tabloid and moved in with a gay couple after he dumped Donna Hanover. *The Washington Post* reported, "He made no secret of having a small circle of gay friends."⁸ But the most telling aspect of Giuliani's behavior was his cross-dressing twice on television and once at a private party. Giuliani's cross-dressing played a major role when he engaged in homosexual sex, as Rudy was most likely "a bottom," the passive partner in a gay relationship. In March 2008 Giuliani appeared on the television show *Saturday Night Live* and stated, "My mistake was years ago when I hosted this show and wore a dress. The Florida plan was solid, but the dress killed me."

Another law enforcement type - FBI Director J. Edgar Hoover who also reportedly⁹ liked to cross-dress remained faithful to one homosexual lover - Assistant FBI Director Clyde Tolson. Inseparable for 44 years, 1928-1972, the two top G-men vacationed together, often dressed similarly and are buried alongside one another. Yet, as is the case with Rudy and Alan, evidence of physical intimacy is merely circumstantial, aside from the evidence provided by the wife of Hoover's psychiatrist Marshall de G. Ruffin, who stated that Hoover

admitted his homosexuality to her husband during a confidential session. I contacted Dr. Ruffin's son who said: "I don't know anything about cross-dressing Hoovers. My mother died in 2005 and my father in 1984, so I cannot ask either."

Before we begin the tedious task of examining the evidence¹⁰ that my argument is predicated upon, let's dispel the notion that Giuliani's pro-gay attitudes can be attributed to political expediency when he ran for Mayor of New York City. Giuliani was not merely going after the gay vote. Giuliani courted the LGBT community but never really succeeded in weaning them away from the Democratic Party. In 1993 in the West Village, an area with many gay people, Giuliani received 15,754 votes as opposed to David Dinkins' 24,290.¹¹ In 1997, he won the white gay vote but gay people of color voted against him overwhelmingly, losing him the gay and lesbian vote overall.¹² True, he owed the LGBT Community voters and their leaders a few political favors or patronage here and there, but the degree that Giuliani took it was not commensurate with the election returns.

Does the fact that Giuliani married three times; had at least one mistress and two biological children exclude him from the LGBT-KY¹³ Community? It does not. Jim McGreevey, the former Gay Governor of New Jersey, had two biological daughters from two failed marriages. In McGreevey's case neither of his wives knew he was gay because McGreevey was *on the down low*.

McGreevey was the first Gay Governor of New Jersey; however, Giuliani does not bear the distinction of being the first Gay Mayor of New York City. Greenwich Village bachelor Edward Koch was gay. Ed secretly met with his lover while visiting Spain.¹⁴ Bess Meyerson, a former Miss America, served as Mayor Koch's *beard*.¹⁵ The terror of being *outed* as gay prevented Koch from lifting a finger to fight AIDS. Koch's sexuality affected the parameters of his feelings for other

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human beings. Who knows how Rudy's sexuality might have manifested itself had he been elected president and given the opportunity to implement his hidden agenda? The U.S. Treasury might have issued a three-dollar bill.

THE SUPPORTING EVIDENCE



LIKE FATHER, LIKE SON. Wayne Barret reported that the Giuliani family religious counselor, Jack O'Leary stated, "Harold had long suffered from severe constipation. One afternoon, while strolling in [a Long Island State Park in 1961] he suddenly felt the need to go. When he found a public rest room, **he pulled his pants down** and began doing deep knee bends outside the stalls to expedite the process. A police officer happened to walk in right then. **Harold was arrested for 'loitering'** and hauled down to the local police station. **The charges were eventually dismissed...**" *Newsweek Magazine* reported, "At a state park on Long Island, a policeman walked into a men's bathroom to find Harold Giuliani, **with his pants down around his ankles**, doing deep knee bends. Harold was **arrested for loitering**. It was all an embarrassing mix-up. He had been constipated and he was trying to expedite a bowel movement. Harold also stopped showing up at his job as a school custodian."¹⁶ *The Washington Post* reported that in 1961 Harold asked Jack O'Leary to Sunday afternoon dinner at the Giuliani's home on Long Island, "He said he had something he needed to discuss. A puzzled O'Leary found Harold in the back yard, stretched out on a chaise lounge beneath a blanket despite the heat, his head on a pillow. His son was standing like a sentry next to his prostrate father. O'Leary took a seat in a patio chair and listened as a despondent Harold told a troubling story: He had been arrested recently on suspicion of loitering in the restroom of a local public park -- **loitering for immoral purposes**, O'Leary recalls Harold explaining. [Rudy] solemnly listened to his father's

anguish. ‘Rudy was very calm -- no crying, no hysterics,’ O’Leary remembers. ‘I knew by the way he was acting that he had already heard the full story from Harold, and that he was there for him and his mother.’ ...Giuliani says he can’t remember much about the episode O’Leary describes.”¹⁷

Was he arrested for loitering or loitering for immoral purposes? *The Washington Post* reported, “The police had dropped the matter against Harold, never so much as filing a formal charge.” But O’Leary told Wayne Barrett the case went to court. Were charges filed then thrown out by a judge or were the charges never filed? O’Leary was the source for both of these contradictory statements. Why did O’Leary volunteer this information to Barrett in the first place? Was he afraid Barrett might uncover it? Barrett did not obtain an arrest record to verify this story as O’Leary never named the state park. The FBI had no traces of Harold Giuliani so the arrest could not be confirmed via Harold’s rap sheet. This wasn’t the first time Harold solicited sex in a men’s room – it was the first time he got caught at it. Harold was bisexual as was Rudy’s maternal cousin Steve “the Blonde” D’Avanzo. Bisexuality was present in both sides of Rudy’s family. We’ll deal with Steve in a later section of *HOMOTHUG*.

Harold was said to have had a nervous breakdown after his bi-sexuality came to light. He had done great damage to his son. Who wants a Men’s Room Pervert for a father figure? Yet O’Leary reported that this didn’t seem to bother Rudy to the degree it should have. There were no tears, no histrionics. Rudy seemed cool as a cucumber. Rudy understood where his father was coming from.

As fate would have it, Giuliani’s supporters called David Dinkins a “men’s room attendant.” Hey, better to be a men’s room attendant than someone who hangs around men’s rooms offering to perform oral sex on men most of whom just want to urinate. Or was Harold waiting for a young boy to enter the

men's room since this was a state park? Harold fit the profile of a homothug.

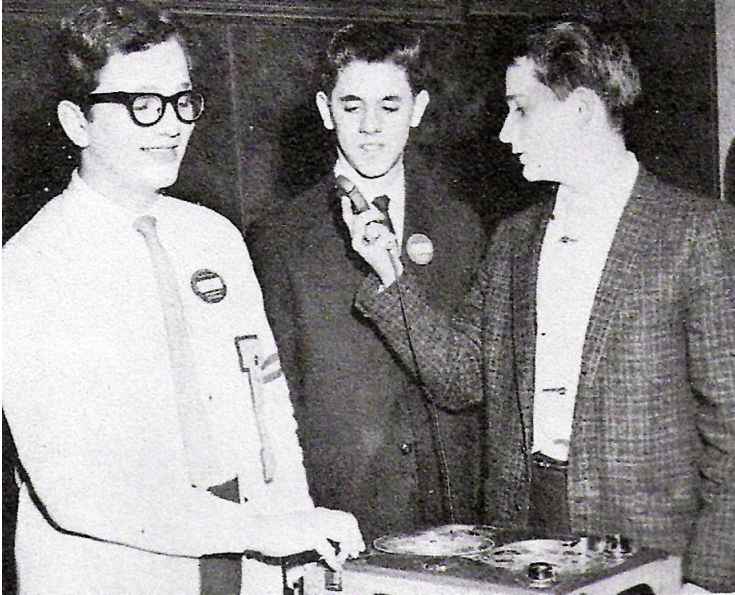
ALAN & RUDY: The most telling evidence that Giuliani is or was bisexual is his lifelong association with the defrocked Monsignor, Alan Placa. Placa was Giuliani's gay partner; his best friend in high school; the best man at his first wedding; Placa annulled his first marriage; as family priest buried his mother and officiated at the funeral of his father; Placa baptized both of his children; Placa was the beneficiary of his legal expertise; Placa said a prayer for him when he was sworn in as Mayor; Placa was interviewed by the national media regarding Giuliani numerous times; Placa is currently on Giuliani's payroll and traveled to the Vatican with him in January 2007. Obama's relation with Rev. Jeremiah Wright is greasy kid stuff compared to Rudy's relationship with Alan Placa.

As the result of a grand jury investigation, the whole world knows Placa is a child molesting disgraced predatory priest forbidden to administer the holy sacraments. He would be locked up if not for the Statute of Limitations of New York State. This antiquated law states that to be a complainant in a child molestation case one must have been under 18 years old when attacked and one must file charges within 5 years. After one passes the age of twenty-three anything that happened to you as a child can go unpunished. It took Placa's victims much longer than five years to come forward. That is the only reason Placa is not registered as a sexual offender with his photo and address on a New York State website. During his trip to New York City Pope Benedict XVI has stated that he is going to alter Canon Law's 10-year statute of limitations on child rape. Will this law be retroactive so that Placa is tried by the Church?

Even if you dismiss the theory that postulates that Giuliani was having had a long term sexual relationship with Placa, his social relationship alone with this slime ball should tell you something about Giuliani's character. Giuliani stated

FOR WHOM THE BELL TOLLNERS

that the numerous allegations of child rape made against Placa were all fabricated and that Placa is a great human being who has done nothing but good in his life. Nothing could be further from the truth.



Alan J. Placa, (Above Right) (b. July 2, 1944) of Farmingdale, Long Island was the son of Adolph J. Placa¹⁸ (b. August 31, 1921 d. 1979), a New York City public school teacher and Rose Placa (b. 1922 d. October 2003) a housewife. Alan and Rudy first met at Bishop Loughlin Memorial Catholic High School in Brooklyn and immediately became best friends soon after reaching puberty. "I've known Rudy since he was 13. He's a hugger and a kisser. He always has been," said Placa.¹⁹ In 2002, a Suffolk County Grand Jury documented the fact Placa had been an active homosexual predator in 1975. Placa now lives with another gay priest in Manhattan. If Placa was gay in 1975 and gay in 2007, he was gay during his high school years in the 1950s when he became Rudy's closet friend! Most gay people are born gay and will tell

you that they knew they were gay for as long as they can remember. Heterosexual males don't just wake up one morning and say to themselves, "I think I will have a penis inserted in my anus today!" or "I wonder what sperm tastes like?" What congenital interest caused Alan and Rudy to become congenial with one another? Why would a heterosexual Rudy hang tight with a homosexual Alan? Because in retrospect Rudy was also gay!

If Rudy had been what passed for "normal" back then, then he would not have associated with Placa. I was born in 1945 and went to public high school in Brooklyn at the same time Rudy and Alan went to Catholic School. I am familiar with the prevalent attitude towards gays from 1957 to 1961 in Brooklyn. No one was openly gay because "homos" got physically attacked - often by those unsure of their own sexuality. If it was this way in public school imagine what it was like in a more sexually repressive parochial school! If one was labeled a fag in that environment you were certain to be the victim of a hate crime. Narrow-minded Catholic school kids like Rudy respected the Church's teachings and "bashed fags" - they didn't buddy up with them. Homosexuality was not only a religious and social offense it was also sodomy - a criminal offense. Hatred for gays was institutionalized in American society. As Mayor of New York City, Giuliani supported legislation that made hate crimes against gays carry a stiffer penalty than ordinary crimes. He was one of the first Republicans in New York to publicly support a statewide and federal crimes bill that included violence motivated by anti-gay hatred.²⁰ Giuliani said: "I also again call upon the State legislature and Congress to enact hate crimes legislation that recognizes the severity of hate crimes and imposes the appropriate penalties."

In an interview with the *Advocate*, a gay magazine that contained photos of nude men displaying their penis' in seductive positions, ads for male prostitutes, and other such things

that would make most Republicans puke Giuliani stated, *“To protect gay and lesbian youngsters from violence and harassment in the schools is something I would look at very closely, and if I determined it was needed I would support it.”* Giuliani was true to his word and established and funded a Hate Crimes Task Force in 2000 so the City could fully investigate and prosecute bias cases. The sweeping initiative included the allocation of almost \$4 million for the creation of a Hate Crimes Task Force within the NYPD and an additional \$1.2 million in funding for the City's District Attorneys to enhance prosecutions of hate crime offenders. Giuliani told the *Advocate* that if either of his children came to him as a young adult struggling with sexual orientation, he would practice the tolerance he preaches, “I can’t determine for my children how to be happy any more than my parents could determine for me how to be happy. *My father – who was in many ways a very old-fashioned man but who would have fit very well into the modern world* – had a theory that your job as a parent is to help your children figure how to be happy. The reason parents – caring, thoughtful parents - might worry about their gay and lesbian children is the negative reaction of society. That’s why I hoped that **Stonewall 25** and other events like it will help create an atmosphere in which parents will not have to worry. But even in the current climate of prejudice, the inner turmoil caused by not coming to terms with who you are is so great that doing it is worth the societal difficulties. I would tell my gay child to try to relax and be who you are because *you are going to be who you are for ever and ever.*”²¹ When Giuliani said, *“My father – who was in many ways a very old-fashioned man but who would have fit very well into the modern world”* was he hinting that his father was gay? Note that most conservatives believe that homosexuality is a lifestyle choice and with the help of God you can change your sexual orientation. Giuliani,

on the other hand, believes it is innate and immutable. *It takes one to know one.*

THE LISP: In the mid-1950's no one except Giuliani's closest confidants knew that Placa and Rudy were an item. Although this liaison was not apparent back then when most gay people were in the closet, in retrospect, several things hinted at it - Rudy spoke with a lateral lisp that produced a slushy "s" sound. A lisp is a source of distress for adolescent boys and young men who may be told that they are gay because they lisp. It has been suggested that gay men adopt specific speech patterns in order to identify each other in diverse social settings. Gay sounding speech is analogous to nonverbal cues of homosexuality. It appears to emerge early in life.²² Many gay Americans have a slight lateral lisp²³ or have different speech patterns than their heterosexual counterparts. Idaho Republican Jim McClure said this about Senator Larry Craig, who pled guilty to soliciting sex in an airport men's room, "Larry's speech patterns are very precise. They're not what you expect from a rancher from Midvale. His speech patterns say, hey, here's a guy who's a little different. And he is, he's a little different."

THE OPERA CLUB: Alan and Rudy grew up during the golden age of rock and roll but instead of listening to songs like Elvis Presley's *Tutti Frutti* Oh Rudy, Alan & Rudy listened to opera. In *The Queen's Throat: Opera, Homosexuality, and the Mystery of Desire* self-proclaimed opera queen Wayne Kestenbaum investigated the connection between gay sexuality and the full-throated longing that emerges from the fat lady's mouth.²⁴ It was no accident that Rudy, Alan and Peter Powers started an opera club or "Opera Society" at the all male Bishop Laughlin High School. It was an early, cleverly disguised precursor to a gay after school club.

During an interview with *WABC-TV National News* Giuliani was asked why he formed an opera club and wasn't this

a bit unusual for a boy growing up in Brooklyn? “You’re in high school. They’re gonna think your nuts.” He responded, “In Brooklyn particularly. I became an opera fan surreptitiously, I would not tell my friends after all I was going to school in Brooklyn, tough kids, all that. I finally told one of the Brothers, Brother Kevin [Jack O’Leary] about my interest in opera and he liked opera and we listened to it together. He said you got to get over the embarrassment of this so I started the opera club I think we started with six members.” Rudy did tell his closest friends Peter Powers and Alan Placa about his love for opera as they helped found the Opera Club. But now it was Jack O’Leary’s idea to start the club. Giuliani was distancing himself from it.

There was no mention of the opera club in the blurb under Placa’s picture in the Bishop Laughlin yearbook. The same was true for Powers and Giuliani. Placa was a member of the Legion of Mary. Apropos; as the word

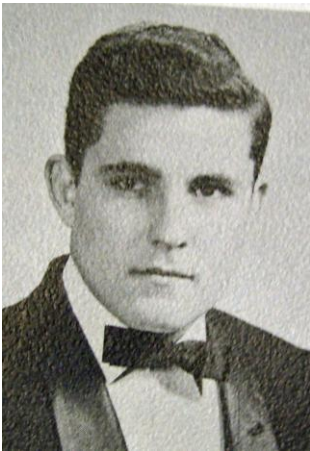


“Mary” is slang for a gay male, as in “Get yourself together Mary.” He was also in the Art Club and French Club. Rudy and Alan studied poetry. Poetry was also considered to be effeminate and sissyish. There are more homosexual poets than you can shake a dick at! John Milton, Lord Byron, Walt Whitman, Hart Crane, W.H. Auden and Allen Ginsberg are just a few. I believe that Rudy’s favorite poem in high school was *The Midnight Ride of Paul Revere* because it contained the line, “to every middle sex village and farm.” Rudy called his interest in opera and poetry, “things I wouldn’t talk to my friends about because **they would think *that I was a sissy.***”

BOXING LESSONS: Threaten a man’s masculinity, and he will assume more macho attitudes. Masculine overcompens-

sation is the idea that men who are insecure about their masculinity will behave in an extremely masculine way as compensation.²⁵ Rudy fit this profile: In order to counter any effeminate image that was emerging in his formative years, Giuliani took boxing lessons so that he would not fit the limp-wristed sissy profile. If anyone ever insinuated Rudy, Peter and Alan were “homos” he could defend his masculinity as well as that of the nerdy weakling Alan Placa. *The New York Times*, using Giuliani as a source, erroneously reported, “When he was two years old, his father, Harold, the owner of a bar and grill in Brooklyn, started teaching his only child to box.”²⁶ Rudy’s boxing lessons at age two is a lie just as his father’s ownership of a Brooklyn bar and grill is. Giuliani did not take boxing lessons until he attended high school and his father never owned any type of commercial establishment in his entire life. The only bar Harold owned was a tire iron he used to beat people up.

THE “CELIBATE” PRIESTHOOD: Just before High School graduation Rudy wrote that he and Alan Placa considered joining the priesthood. If you



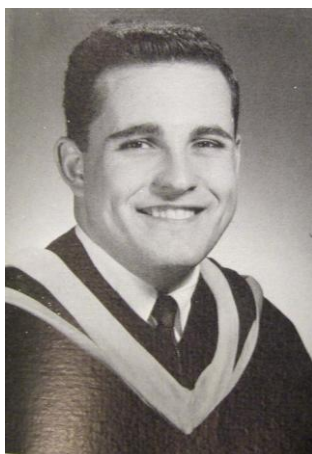
were gay and were looking for a place to hide it then the priesthood was the place for you. Had Rudy joined the priesthood he would have become the “Father Riordan” in Placa’s life. Father Riordan is a homosexual priest who has been shacking up with Placa for decades under the blessings of the Catholic Church. They currently live together in a Manhattan love nest. In

his book *Leadership* Rudy had himself and Placa joining different orders, “All through High School I would discuss religion and notions of service...with my friend Alan Placa. At the end of my time there I signed up to enter Montfort Fathers (in Bay Shore, Long Island) a religious order devoted to serving

the poorest countries. Alan was going to join the Christian Brothers. But my budding interest in the opposite sex was something that wouldn't be suppressed."

The Montfort Fathers had no such application from Giuliani in their possession.²⁷ His Bishop Laughlin yearbook stated that he planned to study medicine in Manhattan. Note that most males' interest in sex starts at puberty. But Rudy was in his senior year in High School when he first became interested in it. Was this an excuse for his homosexuality and early lack of physical contact with women? Apparently his relatives were fooled and regarded him as a late bloomer not a pansy.

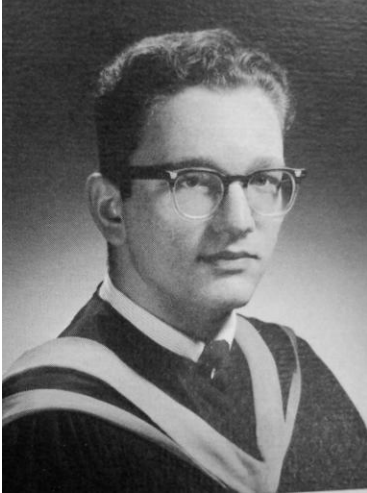
This researcher visited Bishop Laughlin High School in order to photograph the picture of Alan Placa in the high school yearbook of 1961. I was allowed to photograph Giuliani (shown here) and Peter Powers, but when I tried to photograph Alan Placa's photo, I was told, "the Diocese ordered that no information on Placa be given out." I did get a look at it and Placa looked like a classic nerd, with two-tone glasses, black on the top of the frames, transparent on the bottom. In September 2007 I went to Alan and Rudy's alma mater Manhattan College and took a photograph of Rudy and Alan's photograph in the college yearbook. He was wearing the same glasses. I finally obtained the high school yearbook photo from a Bishop Laughlin graduate.



THE RELATIONSHIP ENDURES:

After their high school graduation the "Bobbsey Twins" Rudy & Alan were still together. They, along with Peter Powers, attended the all male Catholic Manhattan College at the same time and pledged the same fraternity, Phi Rho Pi. Giuliani was a big man on campus. He was head of the Inter-

Fraternity Council, Sophomore Class President and Sophomore Ball General Chairman. He was also a columnist for *The Quadrangle*, the school newspaper. Placa was the Assistant Feature Editor, Managing Editor and Editor and Chief. Rudy was also the Editor and Chief of the K'ORAN, a member of the



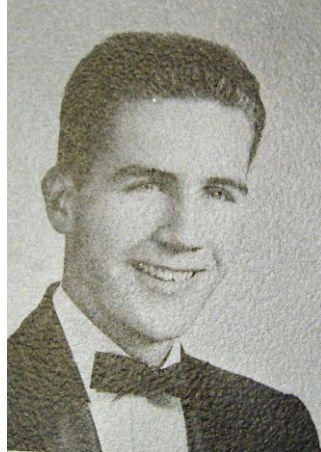
National Student Association Education Committee, The National Federation of Catholic College Students Publicity Director and an alternate Delegate from Phi Rho Pi to the Inter-Fraternity Council. Giuliani majored in government with a minor in philosophy. However, he now claims, "I have very, very strong views on religion that come about from having wanted to be a priest when I was younger, having studied

theology for four years in college."²⁸ There appears to be a contradiction here. Giuliani attended New York University Law School after he graduated in 1965. Placa received a Bachelor of Arts degree in Classics from Manhattan College and then went on to receive a Master of Divinity degree from the Immaculate Conception Seminary in Huntington, New York.²⁹ Placa was ordained as a priest in the Roman Catholic Church on May 30, 1970 in Manhattan, at the Institute of Carmelite Studies, Fordham University with a Ph.D. in Theology.

PETER POWERS: "We were like brothers separated at birth," Powers says of Giuliani. Peter Powers attended Bishop Laughlin High School and Manhattan College with Alan and Rudy. He also attended New York University (class of 1968) law school with Rudy. Powers served in the Giuliani Administration as First Deputy Mayor from 1993 to 1996. Gordon J. Campbell, an openly gay man,³⁰ was Chief of Staff to First

Deputy Mayor Peter Powers beginning in 1994. Giuliani then appointed Campbell Commissioner of the Department of Homeless Services.³¹

Powers served as Mayor Giuliani's Campaign Manager during his 1989 and 1993 mayoral campaigns. Prior to serving as First Deputy Mayor, Powers was associated with the law firm of Gibney, Anthony & Flaherty in New York City whose best-known client is Barney the Purple Dinosaur. Powers is now married to Kathleen Ingrassia Powers. Giuliani claims he first set up Powers for a blind date with Kathleen and then Powers married her sometime later. Did Rudy know that she was the kind of person who would be sympathetic or easily fooled? The Powers have a daughter Heather Ingrassia Powers³² who married Scott Bonner McBride on December 31, 2000. Power's daughter was an associate producer in Manhattan for the *Fox News Channel* program *Hannity & Colmes*. Coincidentally Peter Powers acted as the city's representative in negotiating with *Fox* and *Time Warner*, wherein an agreement was reached which



required *Time Warner* to dedicate a different channel at a lower setting on the cable box for the *Fox News* channel. Powers was elected to the board of *Fox Entertainment* in February 2003, but no longer serves in that position. Alan Placa performed the ceremony for Heather and Scott at St. Vincent Ferrer Church in Manhattan. "I would trust him to handle anything with judgment and good taste and to always do the right thing," Powers said of Placa. After he left public service, Powers became Chairman of High View Capital Corporation, a hedge fund that invested in high-yield debt and distressed companies. Now he is President and CEO of Powers Global

Strategy LLC, an international consulting firm based in New York and Washington, DC. Powers used his connection to Giuliani to attract clients such as the New York Jets, Waste Management and Larry Silverstein's World Trade Center Properties. Powers is also on the board of directors of many prestigious organizations such as the Central Park Conservancy and The Association for a Better New York. He has become one of the powers that be. But the question lingers, "Did Rudy and Powers re-establish the opera club in City Hall? Did Peter Peck of Placa's Pecker?"

EVIDENCE PLACA IS A PEDOPHILE: After his ordination in May 1970 Placa did a four-year stint as a parish priest at St. Patrick's Church in Glen Cove, Suffolk County, Long Island and was there from 1970 to 1974. Although no priest was mentioned by name in the Suffolk County Grand Jury's one hundred eighty-page report on pedophile priests, the report contained a description of Priest F that matched Placa's career pattern and the public allegations against him. Placa was forced to admit that he was "Priest F."³³ The Grand Jury Report stated, "Child sexual abuse is an insidious crime that takes many forms. Some are more overt than others. In *Priest F's* [hereafter *Placa's*] case, his conduct was, at first, so equivocal, his victims weren't really sure it was happening to them – that is, until it happened again and again and again. In Placa's first assignment, he appears to have made feeble attempts at abusing a boy who was an altar server at St. Patrick's Church in Glen Cove, Long Island. Once, when he was working at the rectory on a slow evening, the boy was in the office watching TV, Placa came in and asked if he could join him. Placa pulled up a chair next to the boy and put his right hand on his thigh. Slowly his hand began to creep up towards the boy's genital area. Alarmed, the boy covered his crotch. After Placa's efforts to push his arm away failed, Placa gave up and left. The boy remembered that Placa was very nervous. He never told

anyone at the time because he didn't think anyone would believe him. The conduct repeated itself within a week, only this time, the boy crossed his legs as soon as Placa pulled up his chair. Even so, Placa tried to push his hand between the boy's legs. Throughout both encounters, Placa never said a word. Even after this second incident, the boy never told anyone. He was embarrassed and didn't want any of his friends to think he was a homosexual. This victim came forward decades later, only after Placa denied sexually abusing anyone in a local newspaper story about sexually abusive priests."³⁴

FOR WHOM THE BELL TOLLNERS



In 1974, Placa was transferred to teach at St. Pius X Preparatory Seminary in Uniondale Long Island, where he became a member of the faculty and the Dean of Students until 1978. Although the report is vague on the number of people Placa has been accused of groping at St. Pius X Preparatory Seminary, Richard Tollner, a 1977 graduate who is now a mortgage

broker living near Albany, was definitely a victim of Placa's abuse. The grand jury report stated: "After his first assignment, Placa was transferred within the Diocese to an assignment outside of parish ministry. It was, however, an assignment that provided a large and continuous source of boys [a reference to St. Pius X Preparatory Seminary in Uniondale, Long Island]. Placa was cautious, but relentless in his pursuit of victims. He fondled boys over their clothes, usually in his office. Always, a poster, newspaper or a book hid his actions. Richard Tollner one of the victims remembers the first incident of abuse taking place in January 1975 when preparations were underway to attend a right-to-life march on the anniversary of the Supreme Court's *Roe v. Wade* decision. Classes were out and the students were making banners with Priest Placa's help. It was a banner that was used as the foil on this occasion. Placa

talked continuously as he fondled his victims. Everyone in the school knew to stay away from Placa.

The Grand Jury report stated, "Once, Placa approached one of the boys behind the school stage. He grabbed his crotch. The boy reacted violently, pushing Placa away and warning him never to touch him again. At one point, two victims complained to the schools' rector, the late Rev. Daniel Fagana, about Placa. The complaint resulted from one boy's suspicions, later confirmed to be correct, that Placa was abusing another younger boy. The pair thought a complaint by two of them would have to be believed. It wasn't. The tragic death of Richard Tollner's father led, finally, to the end of Placa's sexual abuse of him. At the funeral home, Placa approached Tollner, moving close to him. As he moved his hand towards his genitals, Tollner told Placa, 'Don't ever fucking touch me again or I'll kill you!' Another boy who saw the abusive conduct by Placa and heard the response to it witnessed this event. After this, both boys were determined to do something about the situation. One boy alerted his parents, who later accompanied him to a meeting at the school. They spoke with the rector and lay teacher Angelo Scordato. No action was ever taken by them or anyone else against Placa. Richard Tollner described the effect this had on his relationship with his family: 'I had a difficult time with this with my family. I grew up very Irish Catholic, very, very conservative...It was a very conservative environment, and the response I had gotten from my family, from my parents specifically was, that's impossible...Priests just don't do these things. You must be mistaken...and, of course, you didn't question it because it's impossible.' Ironically, Placa would later become instrumental in the development of Diocesan policy in response to allegations of sexual abuse of children by priests."

PLACA - POSTER BOY FOR SICK BEHAVIOR: Richard Tollner told *Salon* that Placa pulled out some posters in the deserted administrative area as if to show him something,

and then began fondling him - all the while making conversation about the posters. Richard Tollner said the incidents repeated every month or so for the next year and a half. "It was always groping," he said. "He'd draw his hand deliberately to the inside of my thigh, and over my penis. It would go on for four or five minutes, sometimes as long as ten." Richard Tollner has told reporters, the grand jury and diocesan officials that Placa repeatedly groped him. Richard Tollner stated that he mentioned the incidents to a classmate, Kevin Waldron. Waldron, a marketing and advertising executive in San Francisco, stated: "This isn't a figment of his imagination twenty-five-years later. He told me about it shortly after it happened. I am certain of it." When this researcher attempted to contact Waldron through Tollner he was given numerous wrong numbers for him. I was finally able to track him down but he would not return my calls. I got the feeling from speaking with Kevin's roommate that Kevin was gay.

He also complained to a math teacher, Angelo Scordato. I reached Dr. Scordato in June 2007: "I don't recall that at all. I know that he said that to somebody on it. I said I didn't recall that. I find it unusual that I would not remember. I can't verify it. That story doesn't, I don't remember it at all on it and I am sure I would have. You know I don't think so because number one I always treated those kids like they were my own. And anything like that I would have been shocked. There is no way that would forget. I know I am getting old that would have shocked me to my core."³⁵ I suspect Dr. Scordato never reported this complaint to his superiors because molestation was par for the course. The Giuliani organization contacted several former students who attended St. Pius X Preparatory Seminary. They found at least one who was willing to vouch for Placa, "There was absolutely not a hint of rumor of a speculation or a whisper, in four years, or in decades after of any sexual predatoriness on the part of Rev. Placa," according to

Matthew Hogan.³⁶ Giuliani financial supporter Sean Hannity said the same.³⁷

In a tape-recorded interview in 2007 Richard Tollner stated, “In my environment when stuff happened they would just not say anything about it. These people would joke about it, they would ignore it and later on you kind of put two and two together. I mean we had, let’s see, we had five priests in our school that had problems. And I feel horrible for saying that because the rest of the priests in that school were admirable, admirable men. Men who thirty years later I deeply respect for what they did, what they taught us. They were what priests were supposed to be not guys like Placa and his ilk. I gave up going into the priesthood because of Placa.” By fearing for his job, not wanting to make waves and finally not reporting Tollner’s complaint Scordato was as guilty as Alan Placa. This was why he contradicted Richard Tollner.

Richard Tollner told this researcher: “My involvement with Placa started in 1975 when I went to Seminary School where Placa showed up after being transferred from St. Patrick’s Church. The first time I met Placa I was left with the impression he had an *oily* personality. You don’t feel comfortable around the guy although he was very eloquent; he is very intelligent he knows exactly what to say. The guy is very wise, a very smart guy. It comes down to what he wants to get away with being as smart as he is he is very good at talking to people and explaining himself and getting his points across. He was good at spinning also. When I had him as a teacher in High School his personality seemed *disconnected*. Placa did not display any personal emotions or opinions on any subject. The kids used to make fun of him; imagine if you are facing someone you would look them straight in the eye or in their general direction. Placa would look above your head five feet and over five feet, figure that angle out. If I am standing five feet in front of you and I am looking five feet above your head.

He never wanted to look you in the eye. He would give a sermon in a room with two hundred people and barely look anyone in the eye for more than twenty or thirty seconds. He would be thinking about what to say and look to the sky. The kids said, 'Hey I am down here, hello!' Then they would ask, 'Why do you do that?' 'Why? Because I am thinking.' He wasn't thinking he was just processing. He was devoid of human emotion or was hiding it or never had it in the first place.

"Then he molested me starting in January 1975. I was young I didn't know what was going on, I couldn't figure out what to say or do. I started to warn other classmates to stay away from this guy and I finally threatened to kill him and the attacks stopped. There are a number of other men who are ready to testify. I mean in Suffolk County three guys testified, another classmate didn't want to testify, there was another classmate who told me what happened and didn't want to testify and the Catholic Church told me of yet a sixth guy and this was in January 2007 that he told them that Placa molested him. One of his victims told his parents that Placa had molested him and the parents were deeply Catholic and they basically kicked the son out of the family. There was a nun and a priest in the family. And when it came out all these years later the parents said something like, 'Are you sure he did it?' that was the depth of their understanding. What the hell are these guys in the Church waiting for? Three guys have already testified. A fourth guy has testified. This victim (publicly this would be the fourth) who came forward in the last year or so, with the statement, "Father Placa jumped me" when this baby faced man who had already graduated from Pius X Prep was 19 years old when he was *jumped*. Additionally there are two more guys that are known to discuss it but not testify to the Grand Jury or the Catholic Church."

A third former student, who asked that his name be withheld, said he described to Suffolk prosecutors what he

called *the newspaper drill*: “He always had a *New York Times* in his office. And he'd sit down next to you on the couch in his office and open it wide and, inevitably, his hand would brush your crotch. He did it over and over again, I can't tell you how many times.”³⁸ That man said he felt so violated that he wrote Placa an unsigned letter 20 years later, blaming him for his loss of interest in pursuing the priesthood.

In 1990 Placa was a contributor to a collection of essays on sexually predatory priests entitled *Slayer of the Soul: Child Sexual Abuse and the Catholic Church*. His essay was entitled, “Legal Aspects of the Sexual Abuse of Children.” In it Placa claimed that any touching or “embracing” he did as a Priest was entirely innocent and thanks to rampant paranoia this poor persecuted Christian clergyman couldn't carry out these acts of “love” anymore: “Twenty years ago, when a young person shared the story of some personal suffering with me, **I reached out to embrace him**, confident that the embrace would be understood as an appropriate expression of concern and support. Today, I am not sure who the last adult male was who embraced that young person and I am not sure what that person did. I cannot risk having **my innocent** acts misconstrued; I cannot risk frightening or alienating a young person in need of help. This seems to mean that we are walking a fine line between searching for appropriate expressions of our spontaneous emotions, and appearing to be cold and impersonal. But that is the challenge we face today...”

In 1978, the year after the students said they made their initial complaint, Placa left St. Pius X Preparatory Seminary to attend Hofstra University School of Law at the diocese's expense because he said it needed an expert in social service law. Placa became an expert all right, an expert on how to molest boys and not get busted. He put his thoughts in writing in *Slayer of the Soul*. His essay can be looked at as a virtual instruction book for predatory priests: “If a report [of child

molestation] were made against me, as a priest, for example, employees of my state's Child Protection Service (CPS) would present themselves at my rectory asking for a list of the names and addresses of the parish's altar boys (or other children with whom I might have had contact). Armed with that list, the CPS investigators would visit each family indicated and ask to interview the children to determine whether they had been molested by their parish priest." The key word here is "If." Most parishioners preferred to make their complaints to the Church rather than to the police or the Child Protection Service. Placa, who received or was consulted on over 300 complaints against perverted priests made sure the police were never called in. He knew that child molesting was institutionalized, that is incorporated into a structured and well-established system, and if all the altar boys and others were interviewed it would spell disaster. Placa continued, **"Before we go further in discussing the legal processes involved, please note that this investigative process is, of itself, very damaging to the person accused.** Whether the accusation is true or false, once the possibility of child abuse by a priest (or a teacher, or a physician, or a scout leader) has been raised in people's minds, this concern will spread like wildfire, making it impossible for the accused person to continue to work effectively in that community." **Placa was far more interested in protecting the rights of the abuser than the rights of the victim.** As far as Placa's statement that the "concern will spread like wildfire" as a parent I say, better safe than sorry. Placa continually warned that a mere accusation can cause lasting damage to a priest: In another part of his essay in *Slayer of Souls* Placa wrote, "The lurid headlines describing **isolated incidents** of a priest, or religious brother, or Boy Scout leader molesting a young boy give a dangerously inaccurate impression: they make it seem that 'the problem is that **trusted public figures are taking sexual advantage of boys.**'"

That is exactly what was happening. Child molestation was not an “isolated incident.” It had become institutionalized within the Church with Placa’s help. Placa continued, “If the CPS investigation determines that the report is *unfounded*, then most state statutory **schemes** require that **all records of the report and investigation be expunged from the state’s ‘central register’ of child abuse reports and investigations.** On the other hand, if the investigation concludes that the report is ‘founded,’ CPS is required to turn the matter over to the local prosecutor or district attorney. District attorneys are elected officials, and their function is to evaluate the quality of evidence gathered and to exercise ‘prosecutorial discretion’ in making a decision to prosecute or not to prosecute an accused person.” First off note the use of *schemes* rather than *laws*. Placa applauded the fact that records of an allegation against an abuser were expunged if the charges were deemed unfounded. This would preclude the authorities from re-investigating a pattern of “unfounded” charges. He also hinted that the Church could use its influence to convince district attorneys not to bring criminal charges against priests and cause embarrassment to the Church because of *prosecutorial discretion*.

Placa continued, “If the district attorney decides that the quality of the evidence is sufficient to bring the matter to trial, the case enters into the criminal process. In such an event, the accused person stands in danger of losing his or her liberty: child sexual abuse is a felony, and acts of abuse can lead to lengthy imprisonment. In order to obtain a conviction, the prosecutor must prove that the accused person is guilty ‘beyond a reasonable doubt.’ Achieving this very high level of proof is always a difficult matter, and North America’s legal systems go to great lengths to protect the rights of accused persons. In the area of accusations of child sexual abuse, however, many of the traditional protections of the rights of the

accused have been modified or mitigated.” **Again Placa expressed more sympathy for the accused priest than the child who has been sexually assaulted. He wished to amend the laws regarding the sexual abuse of children in favor of the abuser.**

Placa continued to expound, “...**child abuse is an accusation that need not be corroborated in order to be brought to trial.** Ordinarily, courts will not allow the vast expenditures of public money required to stage a trial simply to hear an accuser assert ‘He did it,’ and an accused person respond ‘No, I didn’t,’ without further evidence or corroboration. In the case of child sexual abuse, however, it is felt that secrecy and lack of corroboration are part of the nature of the crime, and **it is deemed unfair to fail to prosecute for lack of corroboration.**” Placa desired a judicial system where incontrovertible corroboration was necessary for conviction. In this way, if he molested a child with no witnesses around, he would get away with it.

Placa continued, “Another traditional defense against criminal charges is an alibi, e.g., ‘I was elsewhere’ at the time the crime was allegedly committed. This traditional defense is of only limited use to defendants in child abuse cases. Many states have amended their evidence codes; an alleged child-victim **need not be able to remember the exact time and place of the acts since requiring such precision of recollection is considered an unfair burden on a child.**” Placa griped about evidence codes and wanted to hold children to the same judicial standards as adults. If a child was hazy about the time and place that an assault took place, Placa would use this to impeach his testimony.

Placa reasoned, “Neither does it [*reason to believe* an accusation of sexual abuse] require that one undertake a complex investigation to evaluate the quality of the evidence of abuse - that is the job of the police and of the district attorney.

Nor does it [*reason to believe* an accusation of sexual abuse] mean that one has made inquiries to determine whether there is any foundation at all to the accusation - that is the job of the state's child-welfare agencies. *Reason to believe*, then, means that it is *not unreasonable* to believe that the child has been abused. That is a rather subjective standard, and it does vary from person to person. **A licensed child psychologist, for example, may have the skill and experience to delve beyond a child's initial report to find that it is a mere fantasy** (and so, that professional will not have 'reason to believe' the child's story). Another person with fewer skills in communicating with children, on the other hand, may be unable to evaluate the child's story, and may have 'reason to believe' the accusation immediately upon hearing it." Once again Placa wanted to tighten up the criteria used in determining the validity of an accusation of child abuse in favor of the abuser by replacing the "not unreasonable" with a tougher "reasonable" criterion. Placa concluded from experience that child psychologists (especially those recommended by the Catholic Charities Agency) would not take children at their word, but would often do all they could to show the complaint was the result of a psychological disorder. This was why he wanted them called in if worst came to worst.

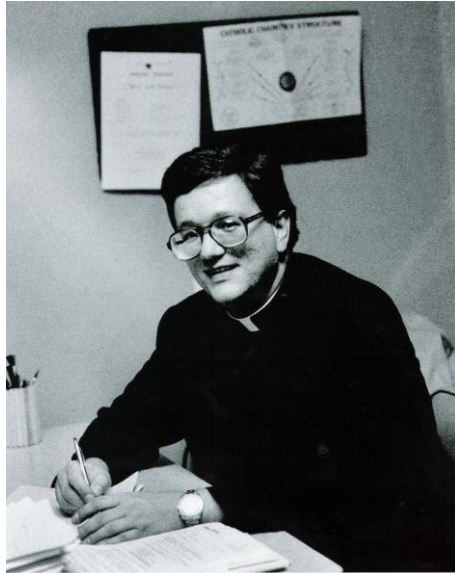
Placa once said: "It is interesting and important to note that members of the 'clergy' are not included in this particular list [of people who can evaluate claims to child molestation] in New York's statute. A proper understanding of relevant reporting laws requires that you consult an attorney admitted to practice in your state or province. Some states do include the clergy in these lists, and they have a variety of definitions of 'clergy.' For example, are religious sisters, religious brothers, permanent deacons, or other church workers included in the definition?

“...The quality of these investigations [carried out by lay people such as nurses] tends to be somewhat spotty, at best. The persons conducting the investigations are not professional social workers, much less are they police officers or persons trained to understand and protect the rights of accused persons. In one state, the manual used to train these investigators instructs them to ask questions such as, ‘Did he touch you in a place where you would wear a bathing suit?’ in order to learn whether or not an inappropriate contact was made. The McMartin Pre-School case in California has made us all aware of the extent to which the very process of investigating charges of child sexual abuse can taint the legal process. **Overzealous investigators may suggest things to imaginative children (who are already distraught because of the frightening nature of the investigator's questions) without intending to do so...**” Placa believed the clergy itself was best at determining the validity of sexual abuse allegations made against it by parishioners. In essence, he wanted child molesters to investigate other child molesters and protested against the New York State statute that excluded them from investigating each other. Placa took a negative view toward dealing the secular authorities and told *Newsday*, “Since we're not law enforcement, our responsibility is not to determine whether or not what someone says happened.”³⁹ After he was fired from the diocese's three-person Intervention Team on sexual abuse he softened up a bit and told *The New York Times*, “As attorneys, we would not be obligated to report allegations, but as priests we would.”⁴⁰

Placa wanted child molestation cases handled as an administrative, non-criminal disciplinary matter within the clergy requiring what Placa termed a “pastoral response” which actually means putting the complaint and the complainer out to pasture. If the parents of the victim came to Placa first he would never report any instances of abuse to Child Protective Services nor to the police as Placa was a child molester him-

self and sympathized with other child molesters. If Placa had any sympathy for the victims he wouldn't victimize them himself.

Placa said that if one was to file sexual abuse charges in New York State, one should hire an attorney, rather than depending on the police or district attorney's office. This is going to cost money, so prepare your self for financial hardship. Placa stated that people such as nurses were easily fooled by boys and girls intent on framing innocent priests, or by



children who have had ideas planted in their heads through the power of suggestion. According to Placa, these lay people were more interested in going after a molester than in protecting the rights of the accused. Placa states that a social worker will do in a pinch, but the best authority to judge the veracity of abuse charges is another priest. As usual Placa focused on the rights of the accused, not the victim. In defense of his arguments Placa cited the McMartin case. How many cases have there been like McMartin were the charges were fabricated and how many have there been where children were actually molested? The reason you recognize the name "McMartin" is because it is an aberration.

Placa continued to reach new lows, "We must be prepared with a truly **pastoral response** if and when an accusation is made against one of our co-ministers (clergy, religious, or lay). Church ministry is an honorable profession, and it has its own skills. **We should trust our ministerial skills and**

instincts in responding to such allegations. For instance, if a parent came to the door of any rectory, convent, or friary and reported that a child had been molested, I am sure I know what the response should be: our colleagues would welcome the parent, express compassion, and offer help (for instance, a referral would be made to a **Catholic Charities agency for psychological counseling** of some sort for the child and for the whole family). I am relatively certain that the priest, sister, or brother who answered the door would not grill the parent, asking for proof of the allegation. I hope and pray that I am right in assuming that the person answering the door would not *clam up* and say it would be improper to get involved. And yet, those are precisely the negative and even adversarial postures that are often taken when such an allegation is made against *one of our own*. Placa was a master at taking "negative and even adversarial postures" when faced with a sexual molestation complaint by a parishioner.

The Suffolk County Grand Jury reported: "The response of priests in the Diocesan hierarchy to allegations of criminal sexual abuse was not pastoral. In fact, although there was a written policy that set a pastoral tone, it was a sham. The Diocese failed to follow the policy from its inception even at its most rudimentary level. Abusive priests were transferred from parish to parish and between Dioceses. Abusive priests were protected under the guise of confidentiality; their histories mired in secrecy. Professional treatment recommendations were ignored and dangerous priests allowed to minister to children. Diocesan policy was to expend as little financial capital as possible to assist victims but to be well prepared for the possibility of enormous financial and legal liability. Aggressive legal strategies were employed to defeat and discourage lawsuits even though Diocesan officials knew they were meritorious. Victims were deceived; priests who were civil attorneys portrayed themselves as interested in the concerns of victims

and pretended to be acting for their benefit while they acted only to protect the Diocese. These officials boldly bragged about their success and arrogantly outlined in writing mechanisms devised to shield them from discovery. These themes framed a system that left thousands of children in the Diocese exposed to predatory, serial, child molesters working as priests.”

This last paragraph referred directly to Alan Placa and held him responsible for unspeakable evil. Due to the actions of Placa and others like him mandatory reporting laws were enacted by many state legislatures. These laws required that all professionals with knowledge of sexual relations between an adult and a minor, including the clergy, were to report such cases to the authorities, with the exception of information given in the course of activities that have sacramental significance, such as confessional. Suffolk County District Attorney Thomas Spota said that the grand jury could have indicted 23 priests for sexually abusing minors if the proper state laws had been on the book: “We will not be satisfied,” he said, “until we have reporting requirements directly to law enforcement.” New York City passed a reporting law but at Giuliani’s insistence private schools, such as those run by the Catholic Church, was exempted from its provisions.

In 1978 Placa attended the Hofstra University School of Law. In 1986 he became a Legal Consultant to the Rockville Center Diocese. Placa was also the associate director of Catholic Charities of Rockville Center Research & Development department from 1978 to 1986 where in 1979, “...Father Placa directed a refugee settlement program...Father Placa is awaiting approval to open a center for **unaccompanied children from Indochina**. The center, similar to one on Staten Island, will hold fifty children.”⁴¹ In *Slayer of the Soul*, Placa questioned the motivation of priests who put themselves in a similar situation: “Consider the church minister who is per-

ceived as ‘king of the kids,’ who has no significant peer relationships, but spends all of his time with youngsters, who takes kids on trips and vacations, who invites kids into his private room in a residence. **Years ago, such a person might have been seen as a valuable minister, a person selflessly dedicated to the young.** Today, those behavior patterns are profoundly imprudent and, quite simply, unacceptable...his co-ministers and/or his superiors should challenge anyone who lives this way.”



Aside from Rudy, Placa’s long-term sexual partner was Father Brendan Riordan seen on the left. Church records indicate Monsignor Brendan Riordan was at Saints Cyril & Methodius in Deer Park where he was pastor from 1989 to 1998, with Placa in residence 1990 to 1998. Brendan Riordan was at St. Aloysius in Great Neck from 1998 to 2007, with Placa also in residence. Placa and Riordan collaborated on a book entitled, *Desert Silence: A Way of Prayer for an Unquiet Age*, published by *Living Flame Press*. This book revealed the fantasy life of the two gay priests and took them back to a time when Coptic Christians made their way to the Sahara to mediate and pray. It was filled with hair shirts, denial, and passages like, “Do I manipulate others to my own advantage? [Placa manipulated the genitals of his victims] Do I allow my least noble parts [his penis] to rule my life and affect all of my decisions? Am I a good person, and do I spend my life using and hurting others, and wasting my own energies in pursuit of impermanent advantages? Am I really loved and have I allowed myself to love deeply and unreservedly, or have I held back parts of myself, [his private parts] imagining that the best is yet to come?” After Placa was suspended from his position on the Intervention Team at the Rockville Center

diocese in April 2002, he moved into Riordan's rectory at St. Aloysius Church in Great Neck.⁴² Richard Tollner, one of Placa's victims, stated, "Placa and Riordan were stationed at the same location five times in a row. I have a classmate who will not testify in public to the fact that Placa said in 1977 that he and Riordan were boyfriends. See back then it wasn't so obvious. People weren't coming out back then, but Placa had enough testicular fortitude to tell someone in 1977 that Riordan is his boyfriend. And when myself, and some of my classmates, look back on it you can a pattern emerging that was more than just a close friendship."⁴³

THE WHORE HOUSE OF AFFIRMATION: Monsignors Riordan and Placa had longstanding ties not only to each other but also to The House of Affirmation. The House of Affirmation was supposed to be a treatment center for pedophile priests in the Worcester Massachusetts diocese. Reverend Thomas A. Kane (seen on the right) co-founded The House of Affirmation by utilizing a bogus PhD. He used it to line his pockets and formulate a child sex ring by procuring boys to perform perverted acts with priests during which children were passed around from priest to priest. Brendan Riordan was one of these perverts content with *sloppy seconds*. In 1986 Riordan was a director at The House of Affirmation and was a friend of Reverend Thomas Kane. The Suffolk County Supreme Court Special Grand Jury noted that Placa, a civil lawyer and a priest, was "also counsel to at least one clergy related treatment center, The House of Affirmation in Massachusetts. This fact was not well known to other high-ranking priests in the Diocese."⁴⁴ Thomas Kane left The House of Affirmation in 1986 amid allegations of financial improprieties brought by eleven



center managers and executives. Richard Tollner explained why it took so long to shut down The House of Affirmation, "Look what happened in Wooster. The police chief and the attorneys such as Placa and the priests were all in the same circle. The priest would take it to the Police Chief, the Police Chief would talk him out of it say there wasn't enough information. It was a big circle in Wooster. Man, the stuff that they did up there was brutal, brutal, literally brutal."

Kane accumulated ample real estate holdings before his departure. In September 1987, Kane owned an inn in Islesboro, Maine (he sold that for \$650,000 before any money could be collected from a sexual abuse settlement), a farm in Islesboro (he sold that to actress Kirstie Alley), three condominiums in Boston in total worth more than \$200,000, two condos in Florida worth more than \$120,000, a home in Whitinsville worth \$98,700 and at least several other properties in Massachusetts and other states. Kane also had a major interest in trusts that owned a condominium building at 398 Marlboro Street, Boston, valued in 1987 at \$720,000, and in properties on St. Stephen Street and Symphony Road, Boston, then with a total value of more than \$700,000 and an interest in a pet store on Boston's upscale Newbury Street.⁴⁵ In June 1988 Kane was named executive director of the National Guild of Catholic Psychiatrists, following a recommendation from Bishop Timothy J. Harrington, another House of Affirmation Board member. In April 1993 Kane, who had become the associate pastor of Sacred Heart Church in Gardner, Massachusetts - despite his track record - was placed on indefinite leave in the wake of allegations that he sexually assaulted a 9-year-old boy. The allegations were contained in a lawsuit filed in Suffolk Superior Court in Boston on behalf of Mark D. Barry, 34, of Uxbridge, Massachusetts. The suit alleged that Kane assaulted Barry off and on for 11 years, beginning in 1968 when Barry was a nine-year-old member of St. Mary's Catholic Church in Uxbridge.

Barry was forced by Kane to perform a number of sexual acts at St. Mary's Church and The House of Affirmation in Whitinsville, Massachusetts.⁴⁶ This lawsuit also named Brendan Riordan and three other priests. Mark D. Barry settled his lawsuit with the Archdiocese. The Suffolk County grand jury, which heard testimony from 97 witnesses, reported that Monsignor Placa strove to settle potentially multimillion-dollar sex-abuse cases inside a range of \$20,000 to \$100,000. The sum in the Mark Barry settlement agreement of \$42,500 was in Placa's range, which in truth should have been worth millions of dollars. The Barry settlement agreement, obtained by the Worcester *Telegram & Gazette*, absolved Rev. Robert Shauris, the Rev. Thomas Teczar, who was the subject of other legal action involving sexual misconduct with a minor, and Monsignor Brendan Riordan of the Diocese of Rockville Centre, N.Y., from future liability.⁴⁷ *The New York Times* has quoted Placa saying Barry lied under oath about alleged abuse by Brendan Riordan: "This was a bad case, involving a bad man who was a liar who lied under oath, I swear to you."⁴⁸ In March 2002 Jim Kane of Derry, New Hampshire said the Rev. Robert A. Shauris sexually molested him when he was a student at St. Bernard's Central Catholic High School.⁴⁹ Richard Tollner stated, "Reardon is already on the record legally for having settled child sex abuse charges with his Bishops signatures. There are two bishops who signed legal documents settling lawsuits where Reardon was named as a sexual abuser. Yet Brendan Riordan is still a practicing endorsed Catholic priest."

Brendan Riordan purchased a Florida condo from Kane in a transaction recorded in 1992, about a year before Barry initiated his suit and two years before Kane declared bankruptcy. According to a real estate transaction dated May 18, 1992, Kane sold an Oakland Park, Florida condo previously valued at \$30,200 to Monsignor Brendan Riordan, of Long Island, N.Y., for \$18,000. A second entry lists the sale date as 1988, but

Brendan Riordan said the purchase was five years earlier. "I don't have any paper records but it had to be before 1983," Brendan Riordan said, insisting the sale had nothing to do with Kane's bankruptcy.⁵⁰ The second name on the transaction was Monsignor Alan J. Placa. Kane now runs an English teachers school in Guadalajara, Mexico. Prosecutors were interested in the timing of this real estate transaction. The Suffolk County DA's office suspected that this was an attempt by Kane to conceal some of the funds stolen from the till at The House of Affirmation. Riordan also sold a Back Bay condo to longtime associate and roommate Babak Baghera⁵¹ in January 1994, six months before filing bankruptcy.⁵² In a 1995 bankruptcy filing, Kane listed two condos in Maine and one in Jamaica Plains, Massachusetts, totaling \$167,000.

Richard Tollner revealed, "There is a 53-minute video from The House of Affirmation; the news media has the video. It shows Placa in a professional forum explaining what could happen to priests who get caught. Then he turns it around and he says if you get caught and they don't have this type of proof or that kind of proof they don't have a case. Like an educational feature on how to handle sexual abuse accusations and what to do about it in your diocese and if you look at it backwards it is exactly what to do to not get caught and exactly what to do if you get caught. For example he discussed that if there is only one or two accusers it is not likely to go to trial because it's insufficient evidence and goes in the Church's favor. I was shown a copy of it by ABC News and someone I know in the *Voice of the Faithful*⁵³ is getting me a copy. We see the exact same body language that I was exposed to for three years. This is many years later - the exact same body language! He is looking at a camera and guess where he is looking? Up? He was not directly identifying with the camera. There is another guy in the video, Shawn, who I am told is an

honest, ethical good guy and he is clean and Shawn is looking at him and he never looks at him directly.”

Not only did Placa represent The House of Affirmation, but he also represented St. Luke's Institute in Silver Spring, Maryland. Priests accused of sexual abuse were often sent there for evaluation. The Rev. Stephen J. Rossetti, a psychologist who edited *Slayer of the Soul*, ran St. Luke's. Rossetti is a priest of the Diocese of Syracuse, New York. He graduated from the Air Force Academy in 1973 and spent six years in the Air Force as an intelligence officer. After ordination, he served in two parishes before becoming Director of Education of The House of Affirmation.⁵⁴ Rossetti defended his close friend Placa by saying that Placa was among the first priests to focus on clerical sexual abuse, “Before everyone casts him in the role of being a bad guy, Al is one of the pioneers who tried to help the Church.” Fathers Stephen Rossetti and Canice Connors (also from Syracuse) have long advocated the return of *some* child abusers to the ministry. Both Connors and Rossetti are members of the bishop's ad hoc committee on sexual abuse, so it would be up to them to decide who returns to his flock. Rossetti has been cited by Maryland authorities for never reporting a child sex offender cleric while head of the St. Luke's institute when Maryland law required him to do so. St. Luke's policy was to never notify police when its patients told therapists about the abuse that occurred outside Maryland. The institute's officials maintained that they were not legally required to make such reports, and argued that doing so would violate doctor-patient confidentiality. An assistant attorney general said the hospital's policy violated Maryland's reporting law but Rossetti received a special dispensation from the Maryland attorney general's office that allowed St. Luke's to continue its policy of not reporting suspected abuse to authorities if it occurred outside Maryland. Against the majority of clinicians and scientists who work with sex offenders, Connors

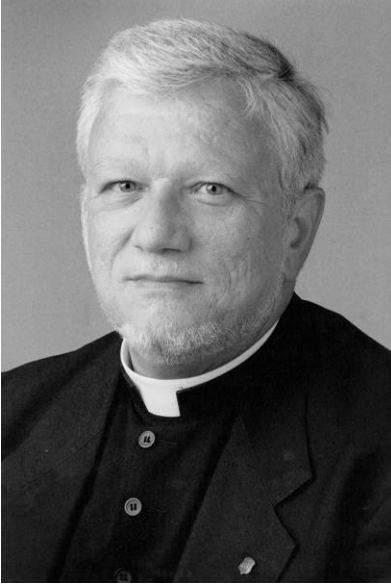
and Rossetti have championed to bishops the idea that most child priest sex offenders are not "real" pedophiles. When the Vatican hosted a symposium on pedophilia it included Conners and Rossetti. Both continued to urge the Vatican to drop zero-tolerance for all acts of criminal child sexual abuse.⁵⁵

Canice Conners was the former head of the *Conference of Major Superiors of Men* a group of leaders of the nation's Roman Catholic religious orders such as the Benedictines and Jesuits that opposed the Vatican's ban on ordaining gay priests. In November 2007 the Jesuits agreed to pay \$50 million to more than 100 Alaska Natives who were victims of sexual abuse by Jesuit priests. The sexual abuse accusations involved 13 or 14 clerics and spanned nearly 30 years, from 1961 to 1987. When the Vatican issued an instruction that read, "...while respecting all persons with homosexual tendencies, the Church cannot admit to the seminary or to Holy Orders those who are engaged in homosexual practices, present deep-seated homosexual tendencies or support the so-called *gay culture*" *Conference* members flew to the Vatican to lobby against this instruction. The *Conference* also asserted their belief that they can best serve society by retaining members of their orders who sexually abuse minors. "We cannot turn out backs on our brothers" who sexually abuse a young person, the *Conference of Major Superiors of Men* declared in a document approved by a nearly unanimous vote.

Why doesn't this group take a hard line on homosexuality like the rest of the Catholic Church does or at least pay lip service to this tenant of Catholicism? Why shouldn't the divine punishment "homos" face in hell get off to an early start? After all the Bible says loud and clear, "Thou shalt not lie with mankind, as with womankind: it is abomination."⁵⁶ An abomination is anything hateful, wicked, or shamefully vile; an object or state that excites disgust and hatred; a hateful or shameful vice. If God, who has a notoriously strong stomach, is dis-

gusted by homosexuality, why should it be tolerated? There have never been charges of child abuse or failure to report a crime lodged against Connors or Rossetti. But Rossetti must have known what was going on at The House of Affirmation yet did nothing about it and instead participated in it. Incredibly, the *Conference of Major Superiors of Men* serves as the Catholic Church's gay and pedophile lobby, fighting for the basic human right of a priest to molest a child. Richard Tollner had this to say of Rossetti; "This guy is pip. He has St. Luke's down in Maryland which is a Church sponsored Oh My God in business for ten years pedophile priest recovery center and this guy is also arrogant he has a number of ties to Placa. Most hospitals have to go through state inspections - this guy wouldn't let the state inspect. He wouldn't let all of his record keeping be reported to the state. Finally one of the priests there committed suicide. The state came in and said you really screwed up and we are going to check and see what is going on here. They did investigate and they found out the hospital was understaffed and improperly set up for people who might harm themselves because that is how the guy killed himself. They still won't report to the state of Maryland. Now if any other hospital did that on the number of surgical procedures, the number of times they switched ambulances, the number of times they shipped patients to another hospital and they didn't report, that they would be on the front page of the local newspaper for being a horrible place but this place continues to stay under the radar and this is the same guy who came to Placa's defense on a number of occasions saying what a wonderful priest he is using Placa camouflage as proof that he is a professional person. When in reality it is just camouflage."

A CHICKEN HAWK⁵⁷ IS GUARDING THE HEN HOUSE. Not only did Placa "write the book" on child molestation from the point of view of a molester but for more than a decade, Placa was in charge of investigating sexual miscon-



duct accusations against diocese clergy. Placa headed the diocese's three-person Intervention Team on sexual abuse. The Suffolk County Grand Jury identified the role played by the diocese's Office of Legal Affairs, usually identified as the "intervention team," formed of three people assigned to handle allegations of sexual abuse. Two members of the team were lawyers. Bishop William F. Murphy dismantled the team in

April 2002. The grand jury charged that while the team tried to appear sympathetic to victims, its goal was actually protecting the diocese through discouraging lawsuits, persuading victims to not go public with accusations and assisting abusive priests in efforts to remain in ministry. One of its members was Placa, the diocese's chief engineer of its legal defense policy. He served the diocese by collecting information that might challenge the credibility of an alleged victim, should a lawsuit be brought. In most cases, Placa was the first person from the diocese to contact alleged victims. Only rarely did he identify himself as an attorney. The report quoted a memo from Placa in which he asked a diocesan official to not identify him to alleged victims as a lawyer: "In fact, in these cases, I am functioning in an administrative capacity," he wrote. "My legal training is very useful in helping to gather and analyze facts, and in helping us to avoid some obvious pitfalls, but we must avoid *frightening* people: I have had several people refuse to see me without having an attorney of their own present, because they are afraid that *the church lawyer* will somehow do them harm." Placa, according to the report, "ignored, belittled

and re-victimized" victims: "In some cases, the grand jury finds that the diocese procrastinated for the sole purpose of making sure that the civil and criminal statutes of limitation were no longer applicable." Placa "portrayed [himself] as interested in the concerns of victims and pretended to be acting for their benefit while he only acted to protect the diocese. Placa boldly bragged about his success and victims were ignored, belittled and re-victimized."⁵⁸ Placa responded, "I have one set of critics saying I've been involved in a cover-up and have not reported things, and that is absolutely untrue. On the other side, I have priests criticizing me because I've been overly aggressive... because I don't go to bat for the priest."

Prior to the creation of the Intervention Team in the early 1980's the Diocesan Director of Priest Personnel handled complaints of sexual attacks by priests. His fellow priests elected the Director of Priest Personnel for a specific term. The Director of Priest Personnel was referred to among priests in the Diocese as the "priest to the priests". As the diocese's vice chancellor, Placa assumed this role, as he was the chief architect of its sexual abuse policy. Placa wrote about the Church's response to allegations of abuse; such writings included a memorandum drafted in June 1993. This memo was sent to high-ranking Diocesan officials, and the document was labeled "Privileged and Confidential-Attorney Work Product." It outlined the workings of the intervention team, and the importance of following the procedures in handling allegations of sexual misconduct. That document, unavailable from any other source, and no doubt claimed to be privileged in any civil suit, directed the Diocese not to identify Placa as an attorney, since several people had refused to speak to Placa without their own counsel present. In 1994 another memorandum marked "Confidential" included a list and synopsis of cases with their current status. Of the cases involving allegations of misconduct with children, not one of the priests had been removed from his

ministry. Of twenty priests still alive who were alleged to be child molesters, only five had been sent for mental health treatment. Placa authored another memo in 1995, as well as materials prepared for the Canon Law Society of America, supporting materials for the meetings of the Intervention Team and Pastoral Care Committee in 1996.

The Suffolk County Grand Jury reprinted this last Placa document: "... more than anyone else (name omitted) has been responsible for the successful working of my present assignment ... **His first concern was always the welfare of our priests and the security of our diocese.** Often under very difficult circumstances, (name omitted) and I worked together with many priests in these past four years...Thanks to your generosity I am able to give some of my time to helping other bishops and religious congregations with delicate legal problems involving the misconduct of priests. In the past ten years, I have been involved in more than two hundred such cases in various parts of the country. I keep a very careful watch over developments in this area so that I can be useful to our own diocese and to others who may need my help. The Diocese of Rockville Centre is unique among American Dioceses and religious congregations in my experience. **We have suffered no major loss or scandal due to allegations of sexual misconduct by religious personnel.** I am called on regularly to settle claims made against dioceses and provinces and I settle multi-million dollar claims for sums ranging from \$20,000 to \$100,000. (since I charge no fees and the Church entities are spared negative publicity, they are more than happy with these settlements.) Since I have been involved in this work, the Diocese of Rockville Centre has paid out a total of \$4,000 because of claims of sexual misconduct. In very large measure, this is due to (name omitted) vigilance, swiftness to act and willingness to involve me and (name omitted) in these cases. It is not melodramatic to say that, in these difficult

cases, hours often make a difference and (name omitted) moves quickly to put our team to work.”⁵⁹

It was no accident that Placa turned off most victims' families. They accused him of covering up misdeeds and transferring pedophile priests to other parishes after so-called “treatment.” Little did they know that Placa was guilty of the very behavior that he was supposed to investigate, behavior he considered par for the celibate course. But as Dominican Sister Sally Butler pointed out “The behavior which Otto Garcia and Al Placa dismiss as an “indiscretion” is a grave, mortal sin.”⁶⁰ Suffolk DA Tom Spota said at a press conference: “This is a person who was directly involved in the so-called policy of the Church to protect children, when in fact he was one of the abusers.” In January 2008 members of SNAP, Survivors Network of those Abused by Priests, showed up at Spota's Hauppauge office to hand him a letter that urged the prosecutor to blast Giuliani for his “repeatedly hurtful, insensitive and misleading public comments and innuendos” about the Suffolk grand jury report. This was another nail in Rudy's coffin!

Having had Placa in place saved the Church a lot of money. He knew how to guilt trip his flock, “Church entities are spared negative publicity.” He also told parents that if they settled their child would not have to testify in open court. In *Slayer of the Soul* Placa admitted his concern was for, “...the interests of the Church; as a lawyer I am not ashamed to admit that I have a concern for protecting the assets of the Church, the assets with which the Church is supposed to minister to the needs of so many. As a priest I am painfully aware that the Church's interests go far beyond its material interests. If one of us has misconducted himself in this way, I want to see to it that the other 50,000 or so priests and religious men in the U. S., for example, are not deprived, by scandal, of the opportunity to continue the good and wholesome work they are doing.”

Richard Tollner put it this way; “I am presuming that Placa was an asset for the Church. He was lawyer, he had lots of research, lots of contacts, lots of connections and he knew a lot about sexual abuse and what these guys do and think because he is or was a sexual abuser himself whether they knew it or not whether they cared to know it or not they certainly got the right guy for the job there. He obviously has their good will well outside of the Diocese of Rockville Center where he was employed and handled other cases trying to reduce the lawsuit amount, reduce the settlements, reduce police intervention, and reduce the reporting of abuse to the Church. I know there’s a statement he made that he’s been sent all around the United States. I know the case in Massachusetts, I know the case in Syracuse, New York, I know the case in New Orleans and in all of these cases he did not properly identify himself and or his motives. I know there are a dozen cases out on Long Island just outside Rockville Center. The idea the Church wasn’t aware of his status is absurd. I told ‘em I reported it three times back in 1977. Someone else reported in 1977 twice and to my knowledge a third person reported it in 1979 before he left town. Plus anyone else out there that reported it who they haven’t told me about. The Church’s response to some of this is ignorance on purpose. They acknowledge you and they don’t call you back. You know he’s being protected. Who paid for his law degree? Placa is one of the Church’s best investments. He probably got a higher return than Church real estate.”

Placa addressed himself to the prospect of civil lawsuits: “In spite of all these limitations, however, proof ‘beyond a reasonable doubt’ is still a difficult standard, and many criminal prosecutions fall short of the mark, ending in acquittal. It would be a mistake, however, to believe that an acquittal means the end of the ordeal for the child who has been interrogated time and time again, for the child’s family, **for the accused person,**

or for the community. Some may wonder whether the bringing of two legal actions (one criminal and one civil) constitutes *double jeopardy* and is thus forbidden by the U. S. Constitution. It does not." Placa dreaded civil lawsuits since the standard of evidence was "a preponderance of evidence" rather than "beyond reasonable doubt" and in a few cases there was no statute of limitations or the statute of limitations could be waived. He believed that filing a civil suit after a criminal acquittal was double jeopardy, however the courts did not see it that way. Placa believed the legal system favored the accuser and continually covered up for other predatory priests, helping them to escape justice.

An illustrative example involves a complaint of sexual abuse by Nancy Kast, whose sons were molested by Father Alfred Soave in 1986 at Saint Hugh of Lincoln, Huntington Station, Long Island. In 1982 Soave was appointed Confessor to the seminarians at Immaculate Conception Seminary on Long Island, Alan Placa's alma mater.⁶¹ The complaint stated, "Father Allmen, who received the complaint on the day of the molestation call then called Bishop John McGann and met with him that same day. Father Allmen told the Bishop McGann what happened to Eric Kast, a 9 year-old boy at the hands of Monsignor Soave that morning...Bishop McGann responded that he knew that Soave had been 'involved in behavior like that when he was at St. Dominic's in Oyster Bay from 1948 to 1969.' Mrs. Kast also spoke with Bishop McGann over the phone and met with defendant Placa. Defendant Placa, who only disclosed to Mrs. Kast that he was an attorney upon her direct questioning, subsequently told defendant Soave against her wishes that she was the parent who was involved and that her son Eric was 'the child who broke the camel's back.' Subsequent thereto, after Mrs. Kast's threats to go public, Soave was sent for treatment, and the real reason for his leave of absence was not explained to the parish by Father Peter

Pflomm, who also knew of Soave's proclivities. After a period of therapy, it was recommended that he not be returned to ministry where he would be in *unsupervised* contact with young people."⁶²

What kind of behavior did Placa protect? A victim of Soave and a member of *Voice of the Faithful of Long Island* pointed out that Soave was a particularly repulsive degenerate: "...Soave went from one boy to the next, asking each one how he was doing. As he asked each boy, he would put his hand down the boy's pants. You see, he needed to be sure that everything really was OK with those children. I want you to think about what those boys were experiencing. Imagine yourself as the third boy in Soave's sexual abuse production line, watching as the first child suffers and hoping with every cell of your body that Soave would stop before he got to you. Think about what your eleven-year-old body would be feeling as Soave moved to the second child and one step closer to you. What would you be feeling if you were that third boy? You would want to cry. But boys know they shouldn't cry.

"If Soave had been arrested that day, as he should have been, what would the crime lab have found on his hands? He had his hand down his pants as he abused your children. And he never washed his hands. With his filthy, dirty child molesting hands Soave would have distributed Communion. He would have taken the body of Christ and with his vile fingers placed it in the mouths of the faithful. He would have placed the Holy Eucharist in the mouths of children. He never washed his hands. I think that's why we're here tonight. I think that's why you have been coming here every month for the past three years. Because he never washed his hands. Because they never washed their hands. The bishops and priests who protected and promoted Alfred Soave never washed their hands. They absolved themselves. They forgave themselves. But they

never washed the filth of sex crimes against innocent children off their hands.”⁶³

Kathy Lotten, whose son was abused as a teenager by a priest in Kings Park in the late 1970's, exposed another example of Placa's callousness: Lotten called the diocese in 1993 after learning that the priest had been appointed pastor at another parish. She said that Monsignor Placa was "kind of oily. He was very articulate and used a lot of big words, which I felt was to intimidate me. One in particular I remember was, if this priest is guilty he's guilty of ephebophilia -- the abuse of an adolescent, not a child. He said, 'Are you aware that the statute is way out,' or something along those lines, and I can't sue."

As stated, Placa never revealed that he was basically an attorney for the child-molesting priest, rather than a priest who would act in a prosecutorial fashion against the offender. Richard Tollner commented, "He never identified himself and/or accurately identified himself. Another victim said Placa came out to my house wearing a polo shirt and this guy is willing to testify. 'Why aren't you wearing a collar and stuff?' 'Oh people don't need to know all my responsibilities. I am just here to talk to you and everything like that.' The guy talked to Placa for an hour and a half - this was one of Michael Hands victims - and Placa goes, 'You have to consider forgiveness as an option' and he never knew that Placa was an attorney let alone an attorney for the Diocese of Rockville Center. Never knew. Didn't know until years later. Down right hilarious! Go figure." Placa told *The Catholic Reporter*, "When confronted with such allegations, too many churchmen try to imitate Perry Mason rather than Jesus Christ. **Preventing litigation should not be foremost in our minds.**"

Robert Fulton, an ex-priest who worked with Placa as the director of the Rockville Center diocese's priest health services, told *The New York Times*: "People didn't trust him; he's a snake. Placa tried to handle this all to the law of Placa."

Alan Placa was the point person on sexual issues [for the diocese], and he handled these cases as quietly as possible, to the detriment of the victim, to the detriment of the priest, as well as to the detriment of the Church in the long run. You can't possibly represent the interests of the priest, the victim and the diocese at the same time, as he did."⁶⁴ Robert Fulton is married to Maureen Canning Fulton, Clinical Director of The Meadows Private Psychiatric Hospital Extended Care Program for Sexual Recovery. Maureen is an expert on curing sexual addiction.

Snake is a good word for Placa, but psychopath is better. He was able to play the *Catholic Reporter* like a violin: "Msgr. Alan J. Placa, a lawyer and corporate secretary of Catholic Health Services of Long Island for the Rockville Centre, N.Y., diocese, noted that the nature of the crisis of sexual misconduct has changed radically over the past five years. Placa has consulted on almost 300 sex abuse cases across the nation. He urged those in charge of parishes, schools and youth groups to know state laws on reporting sexual abuse allegations; to understand the difference between the obligation of confidentiality and the seal of confession; to publicize the Church's policy on sexual abuse but not its procedures; to search out other victims of abuse if they exist; and to utilize the healing arts that are part of the priestly profession."⁶⁵ Richard Tollner stated, "If they ever looked at the cases Placa handled in the past they will open up lawsuits galore under the RICO statutes where it proves that the Church as a large-scale body used its influence, power and assets to force people into certain decisions."

On February 4, 1985 8-year-old Eric Herman was taking a short cut through Church property that crossed a driveway. He traversed a pathway that opened from a hedge into the path of the Reverend Alan Placa's car that was proceeding along the driveway. The police reports concerning the accident

indicated that Eric made contact with the right rear quarter panel of the car. The infant was taken to the Nassau County Medical Center where he was treated and released for multiple contusions and ultimately came under the care of the family orthopedist. The abrasions resolved and Eric's primary complaint was his knee, which was diagnosed as having suffered a synovitis and a partial tear of one of the ligaments. The court papers read, "An action was started and the case placed upon the calendar after conducting extensive discovery proceedings. After preliminary proceedings were conducted, the case was assigned to the Justice Yachnin and during the jury selection process, an offer of \$5,000.00 was extended which the Court indicated in view of the information then available, would be an acceptable sum subject to the preparation and completion of a formal set of compromise papers."

On June 7, 1988, the closing papers including a general release were forwarded to Placa's attorneys but no payment was received. The failure of Placa to pay had been called to Eric Herman's attorney's attention on September 8, 1988, at which time a call was made to Placa's attorneys and one of them indicated that he would send duplicates of the papers to his principal for payment. As of October 1988 no payment was received. Eric's lawyer concluded, "As of this date no payment has been received and the infant plaintiff and his mother are understandably upset."⁶⁶ This was the final document in this case file.

From 1988 to 2002 Placa became Vice-Chancellor of Saints Cyril & Methodius Roman Catholic Church and School in Deer Park, New York, and was in residence there from 1991 to 1998. In 1991, Pope John Paul II named him an Honorary Prelate.

PLACA MURDERED RAYMOND TRYPUC



Raymond Trypuc

In early 1991 or early 1992 Placa and Father Brendan Riordan were both named monsignor. In 1993 a 28-year-old abuse victim came to Placa for help. The accused priest was the late Father James J. Bergin of St. Francis de Sales in Patchogue, Long Island, New York. The victim was Raymond Trypuc (b. October 26, 1965. d. January 26, 1994) Ray's father Raymond Trypuc Sr. was a telephone company lineman in the daytime and a counterman in a delicatessen at night, where he finished at 11PM. Bergin wormed his way into his son's life in the hours when he was away. He took Raymond off on ski trips. On the ski trips, the priest and Raymond were in one room, where the priest raped him. Ray graduated from Patchogue High School, and then enlisted in the Army. He had an honorable discharge as an M.P. Officer. His addiction to cocaine came about at the end of his Army service. He like many others happened to be one of many who could not use it only on occasion. Despite his drug problem he was a graduate of Suffolk County Police Academy and worked as an officer for the Ocean Beach Police Department. This author believes he became a cocaine addict to numb the pain of the sexual abuse he endured as a child at the hands of Bergin.

Trypuc entered Hope House, a local drug rehab facility sponsored by the Catholic Church. Placa had priests on his staff go to Hope House and remove Trypuc without Father Frank Pizzarelli, who ran Hope House, knowing it. Trypuc was sent off to a rehabilitation facility in Arizona. He was in two facilities and then payments from the diocese ran out. He

called Placa on Long Island. According to Ray's father, he never told Placa he had dropped out of the program. Sometime after November 16, 1993, Raymond told Placa he wanted to make a deal: For \$25,000, he would absolve the Church of any additional financial responsibility and agreed never to take his complaint public with a lawsuit. Raymond Trypuc Sr. "Of course he knew what he was doing when he gave him that twenty-five thousand dollar in cash. He was out of therapy when he gave it to him. Placa had to know he was out of therapy because Placa was paying for it. I mean the man was giving him the money for therapy; he had to know he was out of therapy. And that's where my letter of condemnation came from the fact that after I got out to Arizona and found out all the things that were going on and spoke to the therapist out there I realized that it was just terrible what he did. Then he never contacted me along the way even though I was involved all the way in Ray's life. I was kept out of that loop completely. It's a shame he is still a priest. I wrote a letter to the Bishop and Father Pizzarelli and a few other peers after I got done investigating everything and told them exactly what I thought of it."⁶⁷

Placa said that Raymond made the deal only after being advised to do so by Trypuc's own therapist, "My recollection is that before I signed off, I insisted that we talk to the therapist, and he said it was in Trypuc's best interests. Trypuc had a profound need for closure. We were encouraged to do that." But officials at the centers that treated Raymond said their files didn't reflect that and they doubt it happened. Raymond received his money in Arizona at the end of December. He used it to move into an apartment there. He had a job. He also used the money to buy a truck and a motorcycle, clothes and outfit his apartment. He died when he bought a hit of cocaine on January 26, 1994. He died because the cocaine was what in those days was called a *hot dose*. In other words pure and not diluted. It caused his heart to beat so fast that he soon went

into cardiac arrest. Trypuc's dead body was found in an apartment he had moved into the week before. A medical examiner ruled the death was from "cocaine toxicity." According to his father, Raymond always had employment and lived with his parents when he was clean. According to his dad he never lived as a crack head on the street. Nonetheless Placa believed he could not be trusted to live up to his end of the bargain so Placa murdered Trypuc by giving him the money in cash. A diabolical scheme! Father Frank Pizzarelli contradicted Ray's father, "He showed up in my *teenage homeless shelter*. I never knew Raymond until I saw him. I don't know if we could have saved him. But the diocese committed the crime of giving him money when he was alone and had nobody to counsel him. It was like giving the poor guy a loaded gun to put in his mouth." Raymond Trypuc Sr. commented, "We tried several times [to go after Placa in court] we thought wrongful death we thought this we thought that but they told me that we wouldn't get anyplace with it so we let it lie. We never went after Placa because we were told there was no legal grounds to do so."

I discussed the fact that their nephew received the amount of \$25,000 from the Church with Raymond's paternal aunt and uncle, Barbara and James Trypuc.⁶⁸ James Trypuc commented: "That's nothing, all these settlements they are having today. I mean that was nothing to give him. I have no idea [why Raymond was given the money in cash]. His aunt Barbara Trypuc stated: "His father did not want him to give the kid the money all at once but they did it anyhow and bingo that was it. I know my brother-in-law really has it out for Placa but I don't know what he wants to do about it. I would never vote for Rudy Giuliani for putting Placa in the Giuliani LLC office." Raymond Trypuc Sr. agreed, "Placa is Giuliani's friend and I attack that situation every chance I get because why the hell would anyone want to vote for him for President? He's not much better than Clinton. I mean he has all his girlfriends in

Gracie Mansion then he takes a pedophile into his office and gives him a cave to hide in for a while. Giuliani has a strange set of rules. Giuliani is a strange person too. I mean he has done some good things but lots of bad people do good things.”

Here is the report of the Suffolk County Grand Jury on the Trypuc killing. The names of the principals involved have been substituted for the pseudonyms used in the report: “Father James J. Bergin became particularly ‘close like a brother’ to Raymond Trypuc the father of one of his victims, Raymond Trypuc Jr. Father Bergin was a frequent visitor in his home, and they shared a love for many of the same activities, particularly skiing. One evening after Bergin was no longer in the parish, a neighbor of Trypuc Sr. called with the news that Bergin had attempted to fondle his son. Trypuc was incredulous and told his neighbor he would find Bergin and have him come over to discuss the matter that same night. While waiting for Bergin to arrive, Trypuc's own son broke down, admitting that Bergin had actually been sexually abusing him.

“His neighbor's problems forgotten, Trypuc learned that the abuse of his son began when he was an altar boy at age eleven and Bergin was a fairly new associate in their parish. The abuse lasted for four years. While the family was waiting for Bergin to arrive, they contemplated their options. They thought about calling the police and the pastor but decided to wait until Bergin arrived and was confronted. They weren't really sure what they were going to do. Bergin arrived, repentant and crying. When asked how he could betray such a trust, he had no answer.

“Ultimately, the family told Bergin they wouldn't have him arrested if he went to the Diocese, admitted what he had done, and refused any assignment where he would be involved with children. That was all they wanted from him; the family decided they needed all of their energy to help their son recover and move beyond what had happened. Bergin thanked them and

told them he was glad his problems were out in the open and that, perhaps, some good would come of it.

"At that time, although they were aware Bergin was treated, they did not know where or for what duration. They focused on their son and his problems. Unfortunately, there were many. After high school, Raymond Trypuc Jr. a victim of Bergin's perversions entered the Army. He was discharged a drug addict. Fearing the addiction was related to their son's sexual abuse, the family reached out to their pastor for help. They were offered nothing. After a succession of drug treatment programs failed to help him, the now very troubled young man ended up living on the streets. He ultimately met up with a counselor from a local agency for troubled kids. A religious brother in this agency was finally able to connect him with the Diocese of Rockville Center for the help he so desperately needed.

"Alan Placa, a priest involved in the Diocesan team that dealt with priests who had sexually abused children arranged for his all expense paid treatment at an out of state facility. The young man's father reached out to Placa to offer assistance and to assure the Diocese his family was supportive. His calls were never returned.

"During treatment, father and son communicated regularly. Things went well, at first. The father became concerned when his son told him he had purchased a motorcycle and a truck. He asked where the money was coming from and was told by his son that he was, 'talking to the Diocese.' The father begged his son to allow the Diocese to pay for his treatment and therapy, but not to take any other money from them. As the father explained to the Grand Jury, "I wanted him to get better, not rich."

"In January 1994, about three months after the beginning of treatment, their son called with the happy news that he had moved into an apartment of his own. The next day, the

local police called to inform them that their son was dead, the apparent victim of drug induced heart failure. They brought their son's body back to Long Island for burial. At his funeral, Placa, the Diocesan priest who had arranged for their son's drug treatment eloquently spoke to them about their loss.

"In February 1994 they made the sad trip to their son's apartment to retrieve his personal belongings. As they looked through his papers, they were astonished, angry and disbelieving. Not only did they discover rent receipts from motels for months when they believed their son was in residential treatment, they found both letters and legal paperwork from the Diocese of Rockville Center. As they would learn, the Diocese had, in full settlement of all legal claims, paid their son \$25,000 in cash, 'for the provision of future counseling services.'⁶⁹ Not only had they not been consulted or informed, the Diocese did not involve any of the treatment professionals working to help their son in this process. These receipts are in evidence.⁷⁰ Legal paperwork, including an original letter, releases and other settlement documents are in evidence.⁷¹

"In 1995 Trypuc Sr. wrote a letter to Alan Placa, the priest who had arranged for his son's treatment, paid him the \$25,000 in cash, and then attended his funeral.⁷² In relevant part, the letter reads as follows:

"Dear Reverend Placa, sufficient time has elapsed since the death of my son Raymond Trypuc Jr. so that this letter cannot be taken as being written out of grief. The following are my list of conclusions which I will attempt to elaborate on individually:

1. Bergin was a pedophile.
2. The Church did allow Bergin to feel he could exercise his perversion without punishment.
3. An open door policy on sexual abuse was not as well known to Long Island clergy as believed.

4. Placa initially acted with compassion and a sincere effort to help.

5. The Church, in the end, acted to protect itself and became the instrument of my son's death.

...Father Placa, I called Bergin back to my home late on a Friday night and challenged him on these accusations of sexual abuse, which at the time had been confirmed by my son Raymond. He confessed his guilt to my wife and at this time he asked my son for forgiveness and claimed to be relieved that his problem was now out in the open, I demanded he report to the diocese these facts and I would await a call from them to determine what further action I would take. This also proved to be an error on my part, which will never happen again when I deal with the Church as an institution. I was contacted the following Monday by what was reported to be a representative of the diocese, a Sister whose name I cannot recall. I was told that you had spoke with the diocese and that he was going into treatment. I was assured that he would be monitored and this nun also gave the name of a psychiatrist to take my son to. I was of the opinion that to bring this matter into the public arena would serve no purpose and as long as Father Bergin was sanctioned I refrained from further action.

"When we spoke on February 4, 1994 you told us that there was no record on file against Bergin regarding sexual abuse. You also told its that he was brought in to the diocese to answer charges of alcohol abuse at around the time I was supposedly in contact with this nun. You told us that Bergin admitted that he had acted imprudently with a teenage boy but that the matter was being handled. These facts now being known constitute the basis for my first two conclusions. Bergin had to feel he had gotten away with the sexual abuse and because his supervisor, Alan Placa, did not pursue the imprudent behavior he could return to his parish unaffected by these events. I told you at that time that if I had felt my son's mental

health required taking on the Diocese of Rockville Center I would have done so in a heartbeat. I have no reason to fabricate the truth so when I tell you Bergin admitted his abuse on my son you can rest assured he did so, I also hope that at this time, knowing now what we do about this behavior affliction, no responsible person believes Raymond was his only victim.

"I placed a call to your [Placa's] office when my son told me about you ... From September of 1993 to February of 1994 no one made any attempt to reach me. When my son was undergoing other treatment programs in the VA I had spoke several times with the people in charge. In this case I think silence on your part can best be seen as good for the diocese... You told us that Raymond began seeking closure with the diocese in the middle of December. You told us that you had spoken with his therapist and were told approximately how much it would cost for his treatment. In papers that I found in his personal affects you entered into all agreement with my son on December 27, 1993. Mr. (name omitted), whom I spoke to... would like to know the name of the therapist you spoke to. I brought this to the attention of all the people in (name omitted) and without exception we all agreed that no therapist could estimate how long it will take to heal a patient. (Name omitted) will take action against the therapist to whom you spoke.

"Rev. Placa, you are a learned man with a degree in law and I really think you should have used better judgment in this aspect of closure. You told us you were helping Raymond to get better. If any one had contacted... they would have learned that Raymond was asked to leave because he was not working the program. The evidence is that from November 1993 until his death in January 1994 he was not in a program. You were dealing with a known substance abuser not in a program. There is no doubt in my mind that he had impaired reason during your talks and you should have known this. It is my conclusion that you consummated an agreement with a men-

tally deficient person in order to remove the diocese of Rockville Center from harm. It also my conclusion that by agreeing to give Raymond a settlement you became his last enabler. **The money you sent brought about his death.**

“My wife and I have been trying to help Raymond since he was fifteen years old. We have learned much in helping him. We hope that you who read this letter would be better able to help other victims you encounter. We love our Church but it will never be our Church right or wrong. We hope it will be our Church seeking to help and not looking to always protect itself. Respectfully yours, Raymond Trypuc. There was no response whatsoever from the Diocese to this letter.”

Raymond Trypuc summed it up: “There is no question [that Alan Placa is scum]. But nobody wants to do anything about him and he still exists. I have been leaving things alone for a long time other than the fact that I write to the Bishop and tell him that he is not doing too much about the guy and I am still watching him. Placa had no business running the program on both ends. Because was actually representing the dioceses and then he said he was trying to help the victims. You can’t do that even if you are a lawyer you can’t represent both people. He gave him the money that he should have never given him. There is no question that Alan Placa should be dealt with but this is not going to happen by any legal means. As long as the diocese of Rockville Center refuses to live up to it’s own commitment to purge itself of offenders to sexual abuse, nothing can be done. Placa’s duplicity cannot be challenged and ethics are beyond contempt. He was the hit man for the dioceses. There’s a definite part of history there that has to be told.”⁷³

Trypuc Jr. was telling the truth about Bergin. And thanks to Placa the child molesting serial pervert Bergin had it made in the shade. Bergin was a Diocesan high school teacher who also had a summer parish assignment on Fire Island, where numerous gay people vacation. It was there Bergin abused one

of his high school students. The student had accompanied Bergin and they stayed on Fire Island for about a week, sleeping on a, "futon-like", couch together. During the night Bergin would touch the boy and crawl on top of him and masturbate. When the boy became upset, Bergin consoled him, telling him nothing was wrong, "These are things priests normally do." The poor kid believed him. The sexual contact between the two lasted for about eighteen months, occurring a half a dozen times. Once, at the apartment of his mother, Bergin tried to perform oral sex on the boy. This effort was unsuccessful. Richard Tollner recalled, "Placa had friends who had Fire Island real estate and Placa took me out to this house once with Riordan and anonymous the other guy that testified. We went to David's Park."

Later, after Bergin's transfer to another parish, the boy accompanied him on a camping trip. Two brothers, approximately ten and twelve, from Bergin's new parish, came along. Bergin slept in a camper with the youngest boy. The two others slept outside. In the early morning, the older boys went fishing. During that time, the twelve-year-old said he felt sorry for his younger brother because "Father Bergin will be playing with him." He confided in his new friend that sometimes Bergin "played with him until he spit."

Placa also protected priests who molested girls. During Placa's tenure as Vice-Chancellor of Saints Cyril & Methodius Roman Catholic Church and School in Deer Park, New York five women came forward and reported to him that Father John Mott had sexually molested them as girls at St. Raphael's Parish School in East Meadow where Mott served from 1956 to 1969. Mott was named in a \$23-million suit filed in August 1994, by Janet Ostrowski of North Bellmore, Long Island. State Supreme Court Judge Robert Doyle ruled in March 1995, that Ostrowski's case did not meet the criteria for suspending the statute of limitations on civil sexual-abuse cases. In March

1997 Judith Cajigas, 51, of Riverhead, Long Island. and Patricia Hastings, 51, of Rhode Island filed a \$60-million lawsuit against Mott. Cajigas said the sexual abuse began when she was 11 or 12 and continued until she was 15. Mott was her religious counselor. Following the death of Cajigas's father, Mott promised to "take care of" Cajigas and that "no one would hurt her" and that he would not do anything to hurt her. Beginning in 1956 and continuing until 1960, Mott forcibly abused Cajigas sexually and emotionally. This is her story: "As a child of ten or eleven I was drawn to the Church and Father Mott's youth group for solace and a sense of community. I was quite active, becoming a cheerleader for the Church's football team at St. Raphael in East Meadow. Father Mott began molesting me almost immediately.

"The incidents of abuse included being forced to masturbate him in his car, when I was the last of a group of kids to be dropped off at home. There were repeated attacks where he held me, against my will and put his hands under my clothes and all over my body. He would tell me that his semen was 'Holy Water' and that this was 'Gods Will.' I was terrified and tried to avoid the defendant. Many times, he surprised me around the Church grounds, coming out of nowhere, he would force me into places where others would not be able to see what he was doing to me. I knew that there other girls that he was doing this to, but I trusted him. In fact, I know of at least one other girl that the Church has recently entered into an undisclosed settlement with, that Mott had actual intercourse with on at least one occasion.

"I fortunately did not remember the horrible sexual abuse I suffered as a child at the hands of Mott until recently when Janet Ostrowski first brought Mott's conduct into the open. Briefly, I suffered as a young woman and continuing to the present periods of intense depression, low self-esteem, substance abuse and difficulties relating to men. I am begin-

ning to understand that these behaviors were directly resulting from the sexual abuse I endured as a child. I have gone through decades of self-hate, substance abuse and attempted suicide.

“Let me make it clear that I not a rich women. I have had a difficult life and am seeing a psychiatrist. Money has not been my chief goal in pursuing my claims, though my counseling is expensive. Until a year ago when I brought this matter public the Church had been paying money to me for my medical bills as ‘hush money.’ When I brought this public I was advised that the money would stop because there was no reason to pay the money if I could not be silenced. It would be a total injustice for this suit to be thrown out. My silence over the years was a direct result of the shame and guilt I felt. I am now almost fifty years old and just beginning to understand that what happened to me as a child was not my fault.”⁷⁴

Patricia Hastings said the abuse occurred from age 12 until age 14 and that Mott fondled her and forced her to touch his genitals. Lawyers Gary Viscio and Michael Resnikoff handled all three cases. *Newsday* reported, “Placa, a vice chancellor with the diocese who handles charges of sexual abuse against priests, said he had not yet been served with the new lawsuit, which names St. Raphael’s Roman Catholic Church of East Meadow; and the Diocese of Rockville Centre as well as Mott. Placa said Mott underwent psychiatric evaluations after the first lawsuit was filed. ‘We’ve had Mott evaluated three separate times and have no reason to believe he poses a threat to anyone.’”⁷⁵

In June 2002 attorney Gary Viscio filed a racketeering lawsuit in State Supreme Court in Mineola against the Diocese of Rockville Centre, the sixth largest in the United States, claiming that Placa conspired with Judith Cajigas and Patricia Hastings to secretly settle sexual abuse claims against the diocese, depriving the firm of \$100,000 in legal fees. The law

firm claimed that the diocese reached settlements of \$150,000 each with them. Gary Viscio said RICO was warranted because the Church engaged in a pattern of concealing criminal conduct to protect the priests and the Church and 'maintained bank accounts for the purpose of quietly paying off victims/complainants.'"

The diocese had agreed to pay the women \$150,000 each, of which \$48,000 would be a lump sum payment and the remaining amount would be an annuity. The court filing also says the women agreed to release the diocese from any future liability and agreed to a nondisclosure agreement. Viscio charged that Placa "took advantage of the clients" state of mind and willingness to resolve the issue "in pushing a settlement. Placa told our clients don't come back to us and assigned them an attorney." When Cajigas asked the attorney recommended by Placa to help her get the money, she was told that the attorney couldn't help her because of the attorney's "close relationship with Placa." That attorney has not been identified.⁷⁶ Viscio said that the abuse at St. Raphael was institutionalized and when one priest was transferred he would tell the incoming priest which kids were susceptible to sexual assault. He alluded to the existence of audiotapes implicating Placa in the cover up.

Thanks to Placa, who was also the Bishop's Secretary for Health Affairs, the abuse at St. Raphael's continued. In the late 1990s Matthew Maiello, rock music Mass director of St. Raphael's, repeatedly had sex with a boy and a girl beginning when they were 15. Maiello directed them to have sex with each other and group sex with him, plying them with drugs and alcohol, according to a civil lawsuit against the Roman Catholic Diocese of Rockville Center. Maiello pleaded guilty in 2003 to rape and sodomy charges involving four minors, including the two plaintiffs. He served two years in prison and now lives in Connecticut.⁷⁷ Alan Placa should have been called as a wit-

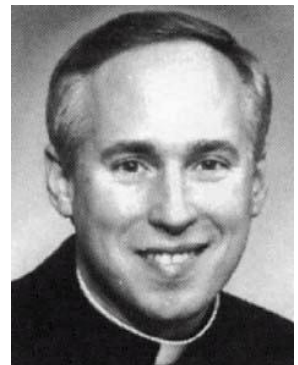
ness in this trial as he was in charge of investigating complaints of abuse in the Diocese of Rockville Centre; however, Attorney Mathew Dowd demurred. The jury awarded a total of \$11.45 million in damages to the plaintiff's, one of the largest judgments in a child sexual abuse suit against the Roman Catholic Church. The Diocese said it would not appeal the ruling.

The Suffolk County Grand Jury heard testimony about Placa from Father Michael Hands, once imprisoned for sodomizing 13-year-old Adam Hughes. Hands, who claimed to have been abused as a teenager by Father Charles Ribaudo, then pressured into remaining silent about the attacks, had agreed to cooperate with authorities in return for sentencing considerations. Suffolk County District Attorney Thomas Spota, who made the report public, said Hands' testimony was "absolutely material" to the grand jury proceedings. In his sworn statement Hands accused Placa of having used Church insurance money to buy silence from boys who had been molested by him. After Hands was arrested Placa rushed to Hands' cell and put him in touch with a private attorney, who Hands later came to believe had actually represented Placa in allegations involving his own conduct [this was Michael D. Hess, a member of the Giuliani Administration who would later join Giuliani LLC]. Hands said he "learned" that Placa arranged "sealed settlements" that "covered himself" at least twice. Hands recounted: "Normally, Placa would go and speak personally to the family. I was told that, in my case, because they learned about it after it had come to the attention of the authorities that they couldn't keep it under wraps. Placa had tried to contact the Hughes's to try to make inroads with them, to see on what level they could resolve things. During that first six months, they had refused any contact with Alan Placa. I told the grand jury about other priests that had been accused, and that Alan Placa had covered things up enough and that the priest had been moved,

sometimes from state to state, to kind of lose the trail and ended up somewhere in the Midwest, that I knew of these things. And in the conversation--- that anything that was said to the district attorney was not going to be fed to *Newsday* reporters." ⁷⁸

Michael Hands charged that Placa reached secret settlements with victims that avoided any mention of sexual misconduct and said instead that the issue involved a drunken driving claim against Placa rather than child molestation. "[Placa] was the man who had the authority on some level to take \$50,000...that he could get this from the diocese, from their insurance department, and use that to pay off someone who had claimed that they were victimized by him," said Hands. "The settlement itself would say that the issue did not involve sexual misconduct. He very shrewdly covered that up." Hands cooperated with corruption investigations against the Diocese of Rockville Centre leadership in Suffolk and Nassau counties but refused to speak with *Village Voice* journalist Wayne Barrett or this researcher. The *New York Daily News* reported that the Suffolk County grand jury was looking into Placa's involvement in financial settlements with past abuse victims there. "Placa had a great deal of influence in the terms involved." Nothing ever came of this since Placa, an attorney, was adept at circumventing criminal and civil laws and the influence of the Church combined with that of Giuliani was overwhelming.

In 1995 Pat McDonough, the Director of Religious Education at St. James parish in Setauket, Long Island met with Placa and told him she believed Father Joe Mundy (seen on the right) was molesting Bryan Perri and asked Placa what he was going to do about it. Perri, a 14-year-old former altar



boy told her during a religious retreat that Rev. Joseph Mundy had confided in him how lonely he was, how difficult celibacy was, and how the two of them needed each other. Placa told her, "My job is to protect the Bishop." She asked, "Whose job is it to protect the boy?" Placa looked away from her and lit a cigarette. Placa then met with Bryan Perri and pressured him to keep quiet, without even mentioning he knew Perri was being abused. The molestation of Bryan Perri and others continued, including Clifton Meek, who was molested by Mundy in 1995.

McDonough, who became a psychologist and a columnist for the diocesan newspaper, the *Long Island Catholic* believed Perri was about to kill himself because of the unrelenting attentions of Mundy when she met with Placa to complain about this situation. A short time after McDonough complained to Placa, Perri's mother went to see Placa at Rev. Mundy's request since Mundy was a close family friend. She was asked "to put in a good word" for the priest with Placa, so that the Priest would not be disciplined. The boy never told his mother that Mundy was coming on to him sexually and she had no suspicion of that herself. *Placa never told her of McDonough's concern that the relationship was becoming sexual.* It was during that same visit, Perri said Alan Placa took him aside for a private chat and subtly pressured him to back off of his account. Mundy's victim stated, "Father Placa said to me that he knew kids didn't get much sleep when they went on these retreats, and that was a problem because sleep deprivation could play tricks on one's mind, isn't that right? He never asked me about Mundy."

During the next three years, Perri said Mundy became increasingly brazen. The priest took the teen to the back room of a gay bar where he attempted to sodomize him, bought him pornography and plied him with vodka as he begged for sexual favors. The degeneracy took on blasphemous overtones when

Perri brought a younger friend with him to Mundy's parish in Wading River, New York, and the friend told him afterward that Mundy had sodomized him in the rectory while the older teen sang in church next door. "Alan Placa had good reason to believe something was going on, and he didn't ask me a thing," said Perri, "I think he wanted to make sure I wasn't going to say or do anything."

Diocesan spokeswoman Joanne Novarro claimed that Mundy's file contained no accusation of sexual abuse by McDonough or anyone else: "There is a report about a complaint from Pat McDonough about confusion of roles, imprudent behavior and spending too much time with young people. McDonough was asked straight out: 'Do you have any suspicion of sexual abuse?' And she replied, 'Absolutely not.'" But McDonough stated, "No way could Alan come away from our meeting saying that I was not making allegations of sex abuse. I was very clear about that." Asked whether Mundy had received a psychiatric evaluation in keeping with diocesan policy, Novarro said one was suggested, but "Father Mundy refused to go to St. Luke's," a Church-run psychiatric center connected to Placa in Maryland. She added, however, "He did agree to go to a private counselor here on Long Island." Mundy resigned from the Wading River parish in 1999 and remains on an indefinite leave of absence from the diocese.⁷⁹

In 2003 Placa and his clerical cohorts were sued for a criminal cover-up that began in 1997: "In furtherance of the policy outlined above the Diocese, Bishop Murphy and his predecessor Bishops, Msgr. Alan Placa, Msgr. John Alesandro and Msgr. Francis Caldwell [director of priest personnel for the diocese], failed to act on obvious warning signs of sexual abuse including but not limited to the following instances: priests had children in their private rooms in the rectory overnight, priests drank alcohol with underage children and priests exposing children to pornography. That in or about 1997

plaintiff Matthew Mosher met with Defendant Placa and reported the sexual abuse inflicted upon him by Defendant Father Angelo Ditta. At no time did Defendant Placa disclose to plaintiff that he was not only a member of the 'Intervention Team,' but also an attorney for the Diocese. At no time did Defendant Placa or Diocese report said crime of sexual abuse to the proper authorities. Defendant Father Angelo Ditta continued to work as a priest for the Diocese until his removal on or about March 2002. The Diocese, Bishops, Placa and other unnamed defendants purposely engaged in conduct that resulted in the prevention, hindrance and delay in the discovery of criminal conduct by priests. These defendants conceived and agreed to a plan using deception and intimidation to prevent victims from seeking legal solutions to their problems. By reason of the egregious and unconscionable conduct of Defendants as herein alleged, it is inequitable to permit Defendants to interpose the affirmative defense of the statute of limitations, as set forth in General Obligations Law section 17-103 (4)(b)."⁸⁰

The judge disagreed: "The instant application arises out of the alleged sexual abuse of the plaintiffs. The defendants now move for summary judgment on the grounds that plaintiffs' causes of action are barred by the Statute of Limitations. In opposition to the motion, the plaintiffs maintain that there is outstanding discovery essential to justify opposition to the motion. In addition, the plaintiffs maintain that there may be legislation, which would toll the Statute of Limitations. The Court of Appeals has held in *Zumpano v Quinn*, 2006,⁸¹ that to bar the assertion of Statute of Limitations it must be demonstrated that the defendants' affirmative wrongdoing produced the delay in instituting the lawsuit, that plaintiff refrained from filing a timely action due to the fraud, misrepresentations or deception of the defendant. In the instant matter, the plaintiffs have failed to demonstrate any affirmative acts of fraud, misre-

presentation or deception on behalf of the defendants which bar the assertion of the affirmative defense of Statute of Limitations. As such, the motion by defendants Placa, Caldwell, Alesandro, Murphy and the Diocese, for summary judgment on the grounds that the action is barred by Statute of Limitations, is granted. The complaint is dismissed as to the moving defendant.”⁸²

MORE BLOOD ON PLACA’S HANDS: Rev. Brian McKeon’s abuse of one boy caused the youth to take his own life: “One of our sons died suddenly in 1987 at age 15. It was our son (name omitted) who had the unhealthy friendship with Brian McKeon. In light of the situation with Brian McKeon and because of (name omitted) untimely death we will never know for sure if he was a victim of Brian McKeon’s pedophilia. This is a question my husband and I will have to wrestle with for the rest of our lives. Brian McKeon was a big part of (name omitted) life and given Brian McKeon’s tendencies with the other young boys, it is difficult for us to believe that (name omitted) escaped Brian McKeon’s abuse. I do know that my other son was one of Brian McKeon’s many victims. Unfortunately for him and the other young boys the statute of limitations has expired and they have no legal recourse under the current law. How sad for these young boys.”⁸³

Brian McKeon conducted funeral for the boy he drove to suicide. He then went on to abuse the victim's brother. His family found out about the second round of abuse in 2000 and went to Msgr. Alan Placa: “A priest who was involved in, and had responsibility in the Diocese for, cases of this type also joined this second meeting. This priest was also an attorney, although this fact was not disclosed to the victims or their family members. He identified himself as the Bishop’s representative. Prior to the start of the meeting, this priest told the nun that the meeting was a waste of time because the statute of limitations had expired. Her response was heartfelt, she

said, "You bastard. These people are hurting. Why do you care about the statute of limitations? That's not why we are here.

"The meeting was very tense as McKeon's history of sexually abusing children was graphically discussed; unfortunately, the one victim who was present decided not to share his story. This victim later explained to the Grand Jury that he didn't want to give the Diocese any personal information because he didn't trust them. The families were disturbed to learn that there was no reference in McKeon's file to the earlier meeting about his drinking with their children. They requested that a full investigation of all McKeon's activities with children in his prior assignments be conducted. The families were told that the Diocese would not do this, that the victims would have to come forward on their own, and that the Diocese would do nothing if that did not happen. During a break in the meeting, the parish Deacon approached Placa, to express his dismay at the official position of the Diocese. He pointedly asked if McKeon was going to be removed. The Deacon believed that there was enough evidence to make an arrest of McKeon had the statute of limitations not lapsed. He was told that at this point there were only, 'allegations', and no determination as to McKeon's status would be made on that basis. The Deacon was furious and told Placa that McKeon must be removed.

"At the conclusion of the meeting none of the families were aware what, if any, action would be taken against McKeon. They learned the next day that he had, in fact, been removed as pastor and sent for a psychiatric evaluation. Less than two weeks later, McKeon was back at work. After learning this, the victim's mother who was acting as the spokesperson for the families, called Diocesan headquarters and was shocked to discover that no one there even knew McKeon had returned. To the families this was appalling. They questioned why McKeon had not been treated and why he was being left unsupervised.

The Grand Jury also reviewed an undated *Newsday* article. The article recounted an auto accident wherein the driver was intoxicated and caused the death of a passenger, his sister. The driver of the vehicle was the boy who had witnessed an act of sexual abuse committed by McKeon, and whose brother was also a victim of McKeon. The *Newsday* article was maintained in McKeon's personnel file and copies were distributed to other members of the Diocesan team that handled allegations of priest sexual abuse, some of whom were attorneys. The Grand Jury finds that a fair interpretation of the reason for the dissemination of this article was so that the witnesses' arrest for driving while intoxicated, the accident and related death of his sister could be used against him should his allegations of priest misconduct ever become public."

After the meeting Placa tipped off McKeon and he went into hiding. In 2001 the victims' family saw McKeon marching in a parade as a police chaplain. "They hid him. Then I'm with my wife and we were watching the St. Patrick's Day Parade two years ago. We were at 48th and Fifth on the east side of the street. We see the Nassau County Police Emerald Society, Brian McKeon, chaplain. We couldn't get through the barricades. We went down to Park Avenue and took a cab to 68th. You could cross the street there. I waited and then when McKeon came, I got in behind him and told him, 'Step out of line.' I had to say it twice. Then we walked off the line and into the park but there were so many cops there that I couldn't do anything. I will someday. If you ever see him, tell him I'm looking for him." McKeon has been told to apply for laicization rather than the excommunication he deserved.⁸⁴

McKeon was one of the few instances where the Statute of Limitations had not thwarted prosecution. Placa wrote: "If the alleged victim is a minor, then the 'clock' of the statutes of limitations (criminal and civil) does not begin to 'tick' until the alleged victim has reached legal majority (usually the eigh-

teenth birthday). On the basis of that one refinement of the definition of the statute of limitations, then, it would seem that the state can bring a criminal action against an alleged offender until the alleged victim has reached his or her twenty-third birthday (i.e., five years after the achievement of legal majority)."

At one point in his criminal career Placa faced an increase in complaints based on sexual assault that went down decades ago. He became well versed in the case law surrounding the Statute of Limitations and knew how to use it to the advantage of his fellow perverts. "What we are dealing with today is cases of what might be characterized as 'immediate' rather than immediate suffering: an allegation of harm done decades ago involves suffering which has been 'processed' by the passage of time. The complainant's experience of suffering has been affected by many factors extrinsic to the actual, historical experience: other sufferings and disappointments in life have intervened, other relationships have had impact, the complainant's reading of press accounts and popularized reports of quasi-psychological processes have played a role, and long-smoldering resentments - some of them unrelated to whatever may actually have happened so many years ago - work like a lens to focus the complainant's anger and to alter the complainant's expectations." What Placa is saying is that over the course of time victims will embellish their stories in order to take out their frustrations on innocent priests. Placa knew every trick in the book to get perverts off the hook. But when he addressed lay Catholics rather than his fellow child molesters in the clergy Placa lied his ass off: "Several state courts have allowed civil suits to be brought decades after the alleged deeds occurred on the theory that the statute-of-limitations clock should start when the potential plaintiff recognizes the harm done. Clinicians have testified that child sexual abuse victims often repress the events for years. There are

very few current charges, Placa said, but numerous cases that date back 30 or 40 years. Sometimes the alleged priest offender has already died.”

As stated, the reason that Alan Placa is not an ex-convict, convicted felon and a registered sex offender today is because the statute of limitations has expired. As long as the young minds of his victims were filled with shame and fear, Placa knew they would not come forward until much later in life or not at all. If not for this outdated statute used as a loophole for child-rapist perverts in all likelihood Placa would have been indicted and found guilty of criminal acts in violation of New York State Penal Law Article 130, Sex Offenses, and other statutes designed to protect the health, safety and welfare of children. These criminal acts include Rape, Sodomy, Sexual Abuse, and Endangering the Welfare of a Child. After all, the Grand Jury concluded, "priests working in the Diocese of Rockville Centre committed criminal acts..."

The way I look at it - once a child molester always a child molester. Placa, being a child molester himself, of course saw things differently. He believed in the reintegration of criminals who have escaped punishment into the Catholic Church. Placa and other top officials placed troubled priests back into jobs where they had contact with children, sometimes against the advice of psychiatrists, “The condition of a person who has **misconducted himself sexually** with youngsters will be described in one of three ways: **fixated pedophilia, regressed pedophilia, or ephebophilia (sexual activity with adolescents)**. Religious superiors should look carefully at the clinician's description or diagnosis, and at the clinician's prognosis. The person diagnosed as a fixated pedophile should not, in my opinion, be readmitted to active ministry. Our dealing with him must be guided by fraternal charity, by the obligations imposed by general and particular Church Law, and by the customs and usages of religious congregations (where appli-

cable). However, it would seem to me that any attempt to reintegrate a diagnosed fixated pedophile into ministry is reckless. Persons who have **misconducted themselves sexually** with young people, but **who have not been diagnosed as fixated pedophiles**, may be reintegrated into ministry after a term of residential care, provided that the clinician's prognosis gives hope that the person will be able to function safely again. Assuming such a positive prognosis, I suggest that **a person may be reintegrated into ministry** if, and only if, certain conditions are met. Today's Church leaders, like today's clinicians, are better informed about the meaning of sexual misconduct, and they are more aware of the need to understand the clinical picture before deciding about ministry reintegration. For example, if, after residential therapy has been completed, a person is diagnosed as a **fixated pedophile**, the bishop or major superior [head of an order] should not attempt to reintegrate such a person into ministry. This diagnosis indicates a serious mental illness, **whereby a person has no sexual interest at all other than the prepubescent children. For other sexual offenders, however, the matter is not so simple.** In the first place, we are very much dependent on clinical judgments in our attempt to make assignment decisions. **What is to be done with the man who, on one or two isolated occasions, has misconducted himself sexually with young children**, but who is not diagnosed as a fixated pedophile? What is to be done with the man who has misconducted himself sexually with young people, but is an ephebophile rather than a pedophile? **There should be no unsupervised contact with youngsters in the particular age group for a specified period of time.** This principle implies several things. First, it obviously means that a person cannot be assigned to an activity, such as teaching or youth counseling, where it is the very nature of the work to serve youngsters with a minimum of supervision. Second, it suggests

that reassignment to a more generalized ministry (such as parish work) will mean informing the immediate superior (the pastor, for example) of the man's history. Also, the superior should be made aware that this man is not to involve himself in the sort of contact with young people that arises in the course of ordinary ministry **without the presence, help, and guidance of another staff member**. In fact, this principle goes beyond contacts with youngsters in the work place: it means that there should be no unsupervised contact with youngsters of the problematic age group, even in the individual's personal life."

Placa repeatedly used the words "misconducted himself sexually." The dictionary definition of misconduct: Improper or unethical behavior. Example: professional misconduct Synonyms: mischief, wrongdoing, dereliction, impropriety, **misdeemeanor**, transgression, and offence. Placa regarded child molestation as a misdemeanor rather than a felony. Placa split hairs when it came to child molestation. A child molester is a child molester and we can dispense with the nomenclature. It first appeared as if "fixated pedophiles" were in deep trouble, and were going to be kicked out of the Catholic Church. But hold everything! There is hope for those "who have not been diagnosed as fixated pedophiles." Not been diagnosed by psychologists and psychiatrists being paid by the Church. If the clinician took the priest at his word that he had sexual interests other than little boys and was not a so-called fixated sexual pedophile he could come back with a diagnosis of regressed pedophilia, or ephebophilia and be back in action in no time!

"What is to be done with the man who, on one or two isolated occasions, has misconducted himself sexually with young children, but who is not diagnosed as a fixated pedophile?" Placa suggested keeping the priest away from youngsters rather than punishment. By this logic every priest

gets two "Get Out of Jail Free" cards that allows him to molest twice and get away with it. Priestly perks.

Placa stated, "There should be no unsupervised contact with youngsters in the particular age group for a specified period of time." What happens after that specified period of time ends? The abusive priest who odds are is going to rape again, is back in action. Placa suggested that an abusive priest could return to ministry after extensive, effective treatment, but only under supervision. The catch here is the priest would still be allowed "supervised" contact with minors. Who would do the supervising? Another child-molesting priest like himself do it? Taking all of this into account it becomes clear why Placa told *The New York Times* that the "zero tolerance" policy adopted by American bishops -- in which priests found guilty of a single sexual offense are automatically removed from ministry -- was immoral and "un-Christian."

In my own experience, attempts to reintegrate people into the ministry have been quite successful. I have never been involved in attempting to reintegrate a clinically diagnosed **fixated pedophile** into the ministry, however, similarly, I have never been involved in attempting to reintegrate a person into ministry after that person has been convicted of a criminal offense and has served time in prison. Such a move would be inappropriate, at the very least, for 'public-relations' reasons, if not also for clinical, legal, and moral reasons. With these provisos in mind, I report that my own experience (in many cases over the last six years) leads me to believe that most people who have engaged in the sort of inappropriate behavior we are describing here **can successfully be reintegrated into some useful and fulfilling Church ministry...**"

Now "sexual misconduct" has been kicked down a notch to "inappropriate behavior." The misdemeanor is now a violation like a littering or spitting on the sidewalk. "In my own

experience, attempts to reintegrate people into the ministry have been quite successful.” Why take the chance? *Once a child molester; always a child molester*. Even the Rev. Thomas Kane agreed with this adage and in a follow-up letter to Cardinal Law, discussed the high recidivism rate of priests treated for pedophilia. “In general practice, the clinical literature seems to support that there has been a great deal of recidivism among treated pedophiles.” Placa disagreed, “Several painful attempts to dismiss priests from the clerical state, and several procedures to dismiss professed members of religious congregations are sad but eloquent testimony to this period of **frightened overreaction** to an earlier time when Church leaders had unbounded confidence in the power of their penal measures to change the offender.” At one time the Church’s penal measures controlled a predatory priest. Now the Church forced to resort to *dismissal* because it has irrationally lost faith in its own ability to change the offender since its penal measures are no longer having the desired effect that they once did. This is wrong policy because, according to Placa, predatory priests should not be fired, they should be rehabilitated. Placa was an advocate for the molester not for the victim. But he made things seem much different when interviewed by the *Catholic Reporter*, “While each diocese must set its own procedures for such cases, Placa emphasized the need to analyze the complaint and pursue a full investigation. **He advised conducting the evaluation in a non-Church setting**. If the complaint involves a child, the alleged perpetrator **should be removed from his assignment at once**, he said. In counseling adults, the priest questioned whether a consenting adult defense is permissible. That person is coming to you, trusting in you, because you represent the Church, he said. **Many bishops and priests disagreed with Placa’s call for the immediate removal of the accused from his assignment, arguing for the presumption of innocence**. But Placa was adamant.

‘We’ve got to weigh prudentially and pastorally the outcome of an evaluation. Our policy is to promote the well-being of children in our care and to promote Church teaching on morality and chastity.’”

Placa often introduced himself as representative of Bishop John McGann. Robert Fulton went to Bishop McGann six or seven times during the 1990s and expressed concern that priests with sexual issues were not getting the treatment he thought they needed and, in some cases, were returned to parish work inappropriately. “There were a number of cases where I conferred with psychiatrists and we recommended to the diocese that people not return to active ministry, but those recommendations were ignored,” Fulton said. One of those recommendations, he said, involved the Rev. Andrew Millar, who was incarcerated after trying to molest a mentally handicapped boy in the men’s room at Tobay Beach in Massapequa, Long Island. Millar’s problems with alcohol, anxiety and sex were flagged in the mid-1990s, Fulton said. Nonetheless, he said, the priest did not get intensive help until a former altar boy came forward in 1999 to accuse the priest of molesting him eight years earlier. The priest was sent away for treatment then and, afterward, asked to retire. Even after Millar’s retirement, he continued to offer Mass at St. Peter Paul in Manorville, Long Island, without anyone being told his history. Placa was implicated in keeping Millar in circulation. Diocesan spokeswoman Joanne Novarro said Placa called Fulton’s assertions “totally untrue,” and said reassignment of priests was never part of his responsibility. In an earlier interview, Placa also said that no priests who were returned to ministry ever abused again, and that the bishop always made the final decision about a priest’s assignment.⁸⁵

Monsignor Placa finally got publicly exposed as a child rapist after a molestation scandal erupted in the Catholic Archdiocese of Boston in early 2002, and it blew back to Long

Island. William F. Murphy, the newly installed bishop of Rockville Center, had been second in command in Boston from 1993 to 2001. He had helped arrange early retirement for the serial abuser, Father John Geoghan. After Geoghan was sentenced to prison for molestation in February 2002, the archdiocese revealed that it had settled 100 civil sexual abuse lawsuits on Geoghan's behalf. To do penance for this massive cover-up of criminal behavior the Church gave law enforcement the names of 90 priests accused of abuse. This resulted in law enforcement officials on Long Island issuing subpoenas for the records of the Rockville Centre Diocese. In March 2002 Bishop Murphy turned over internal files on accused priests to law enforcement in both Nassau and Suffolk counties (the diocese covers both). Placa's name came up in these Church documents more often than anyone else. As a result, after the Grand Jury heard the evidence and issued its report, Suffolk County District Attorney Thomas Spota stated that Alan Placa was never indicted for his numerous sex crimes *not because of a lack of credible Grand Jury testimony*, (three witnesses testified against Placa) but because the Statute of Limitations had expired.⁸⁶ A child rapist was set free on a technicality!

In April 2002, shortly before the Suffolk County Grand Jury's impaneling, Placa stepped down as vice chancellor of the Rockville Diocese and went on sabbatical. The diocese announced that he would be demoted and assigned to a parish as a priest after the sabbatical.⁸⁷ Bishop Murphy, head of the Rockville Center Diocese, learned that a spokesman for the Nassau County District Attorney Dennis Dillon confirmed that Richard Tollner had lodged a sexual abuse complaint stemming from 1975 against Placa. Tollner explained, "Due to my circumstances I discussed things with a *Newsday* reporter, Carol Eisenberg. So she reported it to the Church. The Church doesn't call us. Doesn't call me doesn't call *Newsday* so she calls up the Church and says, 'Hey what are you going to

about this?' They say, 'Nothing, there is no police report filed.' 'Okay, then I guess we will just go and do that.' I go to file with the Nassau County Police Department. I met with Detectives Lloyd Doppman and Mike Falzarano. 'Hi, you really want to do this?' 'Yeah.' 'You sure you really want to do this?' 'Yeah.' 'You know the statute of limitations has run out. We can't do anything for you. So nothing is going to happen. You can tell us the story if you want and consume up our time we don't mind we are here for you. There is not much we can do. Can you wait a few minutes?' 'Yeah, okay.' 'Can you wait 15 minutes?' 'Yeah okay.' 'Hang on for a second we will be back. You sure you want to do this?' I saw Dennis Dillon this past weekend at a Long Island *Voice of the Faithful* protest St. Agnes Cathedral and someone walked over and talked to him and he just shook his head left and right. Like yeah, yeah, yeah, yeah. So I asked the guy how had Dennis Dillon responded? He said Dillon told him 'I am not sure what to think.' Nice come back, he is the District Attorney and people are claiming sexual abuse and he doesn't know what to think. You investigate, you research, you figure it out, you don't cover it up. He didn't give a hoot back then about us. These guys in Nassau County literally did nothing; they never called Placa they never called the guy. In Suffolk County it was different they did everything. They were efficient they followed up they called witnesses. They verified statements, they verified events and took it to the Grand Jury and the only reason Placa is not in jail is the statute of limitations."

Sex Crimes Unit Detective Lloyd Doppman played himself in a movie entitled, *Capturing The Friedmans*. He takes a skeptical view of complaints coming from children, "Children want to please very often. They want to give you the answers that you want" however the complaint against Placa came from an adult. Doppman who is fluent in several Asian languages had a background that consisted mainly of communicating with

Korean prostitutes. Richard Tollner also learned Suffolk County District Attorney Thomas Spota was investigating three sex abuse claims against Placa. Soon the allegations in these complaints were forwarded to Bishop William Murphy, who took pre-emptive action against Placa from Dallas, Texas, where Murphy was attending the U.S. Conference of Catholic Bishops meeting. Richard Tollner stated, "Murphy suspends the guy in June 2000. He never called me, he never wrote me, nothing. I testified against Placa. I have given speeches on the matter. I am giving a speech to the Long Island *Voice of the Faithful* and I will sit down there and tell the whole story from start to finish again because there are people out there who can't believe this Bishop did not do anything and is not doing anything. Murphy doesn't give a damn about any of this." Placa immediately challenged his suspension and was given a one-day reprieve to officiate at the funeral for Giuliani's mother.

Richard Tollner continued, "In Church law Placa still has his Holy Orders but he is suspended from administering the sacraments except for when Giuliani's mother died. Which I thought was, you know. He is listed as a priest in residence at St. Aloysius as recently as three weeks ago and they are not taking him off. It seems like he is still a priest. That is the image but he is not allowed to administer the sacraments. There are enough people on Long Island who would tell me if he said a mass or something like that." Joanne Novarro confirmed this, "Alan Placa is still a priest, but he can no longer celebrate Mass, administer sacraments or participate in any other priestly duties." Bill Donohue, the ultra-conservative Catholic League president said, "Giuliani's confessor is his friend Alan Placa," noting that Placa is as ineligible to hear a confession as Giuliani is to make one.⁸⁸

Placa is still listed as "priest in residence" at St. Aloysius Church, where Riordan serves as pastor, and officially lives at the rectory there with Riordan, when they are not at the love

nest they jointly own in Manhattan. As of July 2007 Placa remains on “administrative leave,” at least according to Sean Dolan, a spokesman for the diocese. However Richard Tollner reported that the investigation of Placa has been completed, “But it gets a little bit better with the Roman Catholic Church and the Roman Catholic Diocese investigation. Here is where the cover-up starts. So the Church gets so much pressure from the press they get their new three person intervention team to investigate. The team is composed of a psychologist, a former police commissioner; I think the guy’s name is Don King and a nun whose name escapes at this particular time. So Don King calls me up and asks me *pick on the victim* dumb-assed questions, ‘So did you enjoy what happened?’ ‘Did you have an erection?’ ‘Did you decide you would like a gay lifestyle?’ ‘Did you appreciate what was going on?’ I mean all this really stupid stuff and I am going like no, no, no, no, I am not doing this crap over the phone. ‘Well then there is really not much here for us.’ I told him to call me back with some legitimate questions.

“When the guy calls me back he forgets my name. ‘Hey Bob, its Don King’ ‘My name is not Bob, its Richard.’ ‘Okay whatever? Listen Bob....’ ‘Richard Tollner. Do you know who you are calling?’ ‘Yeah!’ The guy Alan Placa allegedly abused who filed a complaint.’ ‘There is no Bob out there and no Bob has ever filed a complaint.’ And he goes ‘Okay Rich, no problem.’ I go ‘You’re sure you were a cop?’ So then he says, ‘All right we will send someone up to see you.’ I live in the Albany New York area. They send a former classmate of mine who became a priest who I think is a decent guy. Father Robert Vatule. And Bob comes up to me and says, “Isn’t this great they gave me a new car!’ ‘What?’ ‘They gave me a new car. Come on I will show you my car.’ I said, ‘Bob I don’t give a hoot what you came up in lets get started.’ So I pull out a tape recorder and he says ‘Oh no, no, no, you can’t tape-record this.’ I go ‘Bob there is nothing in the law which says I can’t

tape record a conversation after informing you that I am doing it.' He said, 'True' and then he says 'Hold on I have to go to the store and buy a tape recorder too.' I took him down to the same store where I bought the tape recorder and he bought one. So we get back to my office and here is where the fun begins. This is almost hilarious. I knew they were going to do squat. He pulled out a yellow pad and the handwriting on it was the finest female script I have ever seen and it was definitely a list of questions and the opening questions were something to the effect of 'For someone so damaged and confused how do you feel?' They are telling me I am damaged and confused. But here's the kick. If I answer the question and agree that I am damaged and confused and if I say no I am not damaged or confused it lessens any lawsuits or damages I could claim later on because I already said that I am not damaged and confused. Either I agree with it and say I am confused or I disagree and it lessens any settlement I could ask for. Half the questions were just loaded like that. There was only like 25 questions. So when we are all done I go Bob you really haven't asked any important questions. Do you have any questions? 'No I am not allowed to ask you anything.'

"They finished this investigation in August of 2002. They never called me back [with the results]. I waited a month. I called and asked, 'Do you have any more questions?' They don't call back. I called back next month. I didn't hear anything. The Bishops office has never called, written, faxed or emailed. I got one generic letter at the beginning of the thing around Christmas time. It said, 'The Bishop in charge of Rockville Center is sorry that you reported that you were molested.'

"I called Father Vatule. It's funny he was classmate. So I refer to him as 'Father Bob.' I asked him if it was okay to address him like that and he said, 'It's okay we are friends.' I asked him, 'What happened?' 'What do you mean what happened?' Father Bob I never heard back from you or anybody.'

'Okay well we're all done.' 'What happened?' 'I handed in my report.' 'What was in the report?' 'Can't tell you.' 'Why not?' 'I am not allowed to discuss this matter with anyone.' He was told that and ordered. 'Okay so who got the report?' 'Bishop Murphy.' I wrote a letter to the Bishop, made phone calls, nothing. Five years go by and a priest in Albany that I have been talking to about this matter says 'Oh yeah, yeah, we got the decision on that its right here.' So I bluffed and said 'What did you think of it?' And he said 'I think it was dumb to have eight people on the committee.' Eight people? I thought he was joking. I thought there were eleven. And he gives me their names and I write them all down. And I go, 'So what was the final vote on that?' 'Three to believe you; three to not believe you; and two abstentions.' Here is the amazing part. This committee that decided quote the fate of my accusations never met me and only looked at Church sponsored questions. Never met me, never heard what I had to say, never heard my side and only looked at the 25 questions that Father Bob gave them. Which is a convenient thing to have in these circumstances because now they don't have to think. The big game is that they will constantly claim insufficient evidence."

In September 2005 a protest was held at Sunday Masses at St. Aloysius, by *Voice of the Faithful of Long Island*. The group distributed leaflets calling attention to the Placa situation. At a *Voice of the Faithful of Long Island* vigil at St. Aloysius in November 2005 where Placa is still in residence, Riordan told the protesters (very loudly) that in 40 years of ministry, there wasn't one complaint against Placa. Richard Tollner commented, "I talked with people at the parish and they are like, 'You are completely wrong, he is a very good man, he would never do anything like that in a million years.' And I'm like, 'Hey three people testified to the fact that they got molested and I know of three others. Six people are lying after thirty years just for what? For the money? They are not asking

for money, they are not drug addicts, they are not alcoholics, and they are not out for the limelight. I mean two of the guys won't come out publicly. They trust me to tell me their stories that have been verified and backed up by the Suffolk County District Attorney. I mean their statements were verified, the events that they testified about were verified, there was documentation that the events occurred and there were other witnesses who placed these people at the events where Placa molested them. But some people say, 'Oh no, no, Placa and Father Riordan are such good men. Why do you throw mud at them?'"

When *Voice of the Faithful* members cited the Suffolk County Grand Jury report, Riordan discounted it by saying it was a "political document." Richard Tollner countered, "Yeah I mean after all I am the kind of guy that would wait thirty years on a problem to make it up. To consume my professional time to pursue not Giuliani but a friend of his, not ask for money, loose time from work, have people harass me. Yeah it's all about political." When questioned about these charges Placa recalled Richard Tollner as "a troubled kid, very emotional, who would fly off the handle easily." Placa was insinuating Tollner was unstable. But Richard Tollner later life shows no signs of instability; in fact exactly the opposite is true, "Look at my background I am clean as whistle. I have 30 years of non-profit corporation board of directorship, and I am only 48. I am library trustee, a library treasurer, the former library board vice president, former President of the Board on the Chamber of Commerce, ten years on a Church Board, I am a financial advisor for two other non-for profits, I am the president of a networking group, I am the president of another chamber business group, I have my own stock related partnership, I have my own LLC, I have been a bonded and insured banker of different qualities over the last 15 years. I am married to the same woman for 18 years. I have good credit, I have good health, I have no skele-

tons in my closet, no arrests no warrants, no drugs, so gimme a break.”

Richard Tollner is an American hero. It took guts to come forward and expose Placa for what he is. But since Placa was not proven guilty in a court of law the Church still regards him as innocent. That is why no significant administrative action, such as laicization (defrocking) was ever undertaken against him. But if he was not found guilty shouldn't he be allowed to administer the sacraments once again? The *Voice of the Faithful* reported, “Some time ago, we reported to the Diocese that Monsignor Placa had been observed on several occasions performing public ministry in this Diocese at various parishes. Mrs. Eileen Puglisi, the Director of Child and Youth Protection, eventually told us that in unusual circumstances Bishop Murphy gave occasional permission to Monsignor Placa to say Mass.”⁸⁹ Why has Placa been placed in a state of suspended animation? To defrock Placa would hurt Giuliani, who despite his stance on abortion still has widespread support among Catholics. To allow Placa to return to his former status before Richard Tollner and others exposed him would also draw unwanted attention to this child rapist. Richard Tollner pointed out another reason for the Church's inaction, “The Church doesn't want to bust Alan Placa because guess what? That would give Alan Placa incentive to pull out some skeletons in the closet to protect himself. ‘Hey, I was ordered to do this.’ So he would bring down all of them down... They will say ‘Hey you were our attorney of record you can't void privilege.’” So Placa is lucky, he remains in purgatory when he really belongs in hell. This is where the court record ends. Placa stiffed the family of an infant he ran over. What a lowlife!

By 1985 Rudy and Regina's marriage had failed and Rudy had married Donna Hanover. This was when Giuliani went *on the down low* and had Placa come to the couple's Upper East Side apartment for sleepovers where the men

would be alone together after his heterosexual family fell asleep. On June 9, 1985 *The New York Times* reported, “At least one night a week, Father Placa, a former high school and college classmate, **will stay over** at Giuliani's Upper East Side apartment, and the two often will talk poetry, theology and politics **deep into the night**. Giuliani attended Catholic schools and, for a while, considered entering the priesthood.”

Wayne Barrett reported that a similar situation took place in Giuliani's youth, “With [Christian Brother] Jack O'Leary Rudy finally had an *opera listening partner*. **Many nights after dinner the two would retire to the basement and listen to Rudy's records...**It was O'Leary who helped Rudy found his opera club and served as its advisor. He also instilled in his emerging erudite pupil an appreciation for Shakespeare and poetry...‘He was terrific’ Rudy said, ‘He spent a lot of time with me developing interests that I wasn't comfortable about. Like reading and opera, **things I wouldn't talk to my friends about because they would think that I was a sissy.**’”

Throughout the 1990s into 2001 things went along smoothly for Placa until his aberrant behavior was brought to light in April 2002. Shoot, his best friend was Mayor of New York City. Placa waited for the diocese to complete its inquiry. He said that he expected to be exonerated, which would allow him to return to ministry. In 2002 Placa began “work” at Giuliani Partners LLC, the “crisis management” company founded by the ex-Mayor that year, with several major players in the former Giuliani Administration as its top executives. Placa's soul mate had created a three-day a week job for him there. When first reached by a reporter at Giuliani Partners, Placa claimed that he was only visiting - a falsehood quickly reversed by a firm spokeswoman, Sunny Mindel. Mindel said that Monsignor Placa had no comment about the abuse claims. Mindel also declined to specify what Placa does for the firm or how much he is paid.

Sunny Mindel began her communications career as an advertising copywriter after earning a B.S. degree from the University of Pennsylvania. Her broadcast experience included reporting on City Hall for WNYC Television and writing for the woman's channel Lifetime Cable Television. In 1996 Sunny Mindel joined the Administration as Press Secretary for the Department of Information Technology and Telecommunications. She was Giuliani's Campaign Chief Spokesperson and Press Secretary for his 1997 reelection campaign. She went on to become Deputy Director at the Mayor's Office of Emergency Management and in 1999 his Press Secretary. Currently she is spokesperson for Giuliani Partners. Sunny is the daughter of Dr. Leo E. Mindel, a deceased dentist and Edith Mindel. Sunny had two sisters: Helaine Mindel-Menkin of Somerset, N.J., and Meg Mindel-Marchese and one brother, Lee Mindel a gay interior decorator and architect. Sunny was single as of 1988 and there is no indication that she was, or is married. I have no information on her sexual orientation but there is no doubt that having a brother who is gay made her sympathetic to Giuliani, Peter and Alan.



To handle Placa's legal problems, Giuliani called upon Michael D. Hess, his ex-corporation council when he was mayor and yet another longtime friend of both Giuliani and Placa. At the time when he became Placa's lawyer, Hess was a senior managing partner of Giuliani Partners. Michael Hess: "Alan is very upset. [The allegations that he is a child molester are] totally unfounded, and he denies it completely...This is truly outrageous. There is nothing to substantiate anything this character Tollner has said! Like someone you have not seen in 25 years making this wild allegation that you did something sexual to them. And then trying to get your employer to sus-

pend you. It's tragic - with a guy who's been a real community leader like Alan Placa. He's coming out of the woodwork now. He never filed a complaint. He never wrote a letter. His parents never filed a complaint. So [Placa] didn't do anything!"⁹⁰ It was not just Richard Tollner who testified against Placa. There were others.

"I'm not even a human being," Placa said during an interview at Giuliani Partners, "I'm a monster. And now, in fact, to be told that I was not a protector, but a predator. That I was a predator because of the preposterous allegations of abuse lodged against me personally, and that I was the architect of a policy whose purpose was to deprive people of their rights and to protect sexual ---- that's heartbreaking." As a result of the Statute of Limitations combined with Giuliani's influence nothing ever came of this investigation or any investigation into Placa's criminal behavior and nothing ever will.⁹¹ When asked about Placa's exposure as a sexual predator Giuliani stated, "If most people did half the good that Alan's done, the world would be a wonderful place. Over the years, people aware of our friendship have stopped me on the street to tell me that Alan is the finest priest they have ever known. He has helped thousands of people as a priest, as a teacher and as a friend."

Giuliani spokesperson Sunny Mindel said that Giuliani "believes Alan has been unjustly accused." Giuliani knows first hand that Placa is gay and capable of committing homosexual acts. Rudy knew Placa was a homosexual since Bishop Laughlin, so he knows witnesses like Richard Tollner are telling the truth. This is not a case of misplaced faith. In January 2007 Rudy, Alan and Judy traveled to Rome together. As of July 2007, he remains on Rudy's payroll. "He is currently employed here."

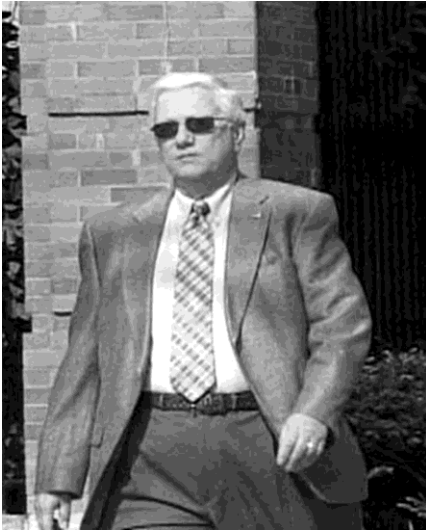
The Placa connection came up often during Rudy's campaign for the Republican presidential nomination. It kind of "stuck in his craw" just as Placa's penis once did. In October

2007 Giuliani told the *Associated Press* that Placa was a longtime friend "in whom he has a lot of confidence." Later that month he told protestors in Milwaukee, "The reality is Alan Placa has been a friend of mine for 30, 38 years, 39 years, I know him really well, he hasn't been accused of anything, hasn't been convicted of anything. We give some of the worst people in our society presumption of innocence and benefit of the doubt. And this is more than that. I mean I know the man. I know who he is. So I support him. It doesn't mean that I don't understand the tremendous grief that people have and anger that people have. And the tremendous damage that's done by sexual abuse. I mean I investigated sexual abuse. I met somebody just a while ago that was involved in a case that I investigated way back when I was U.S. attorney that thanked me for the sensitivity with which we handled the case because they believe it did a service in helping their child be able to deal with it. I really treasured that. But at the same time, you know, no matter what the allegations are, people are given a certain degree of presumption of innocence and benefit of the doubt and of course I'm going to give that to one of my closest friends."⁹²

Then there is the blackmail angle. Golan Cipel, Jim McGreevey's sex partner, attempted to shake McGreevey down for five million dollars in return for his not filing a sexual harassment complaint against him. Giuliani's gay former roommate Howard Koeppel thought McGreevey should have stuck it out, "I think he over reacted, Clinton didn't resign because he was having an affair outside his marriage. We are living in a different world than we were 25 years ago, and it wouldn't have affected McGreevey's chances of being re-elected if the people thought he had been a good governor. There are other public officials who are in his situation who aren't being as honest." Is Giuliani one of them? Is Giuliani paying off Placa on the installment plan with his salary at

Giuliani Partners to keep his mouth shut? What else can Giuliani do? Placa could destroy Giuliani's political career if Giuliani denounced him. In December 2007 Giuliani stepped down as head Giuliani Partners, after months of refusing to disclose the firm's clients or the role he played. Giuliani was replaced as chairman by Peter Powers.

Placa also acted in an "of counsel" capacity to the Diocese's law firm, most recently known as Spellman Walsh Rice Schure & Markus, LLP, and was listed as such on the firm's letterhead as of May 2002.



In late 2005, Placa and his wife Brenda Riordan purchased a penthouse (PH2S) apartment in the Regatta, a condominium building at 21 South End Avenue in the Battery Park district of Manhattan. This photo shows Placa leaving the love nest. This is latest in a half-dozen properties Riordan and Placa have owned in common at various

times since the late 1980s. According to documents filed with the City of New York, Placa co-owns the 650-square-foot, \$550,000 apartment with Riordan. They are cited as "joint tenants with right of survivorship" in a condominium unit assignment agreement, signed on December 5, 2005.⁹³ *The New York Times* summed it up, "Placa was never prosecuted, and the complaints were not adjudicated within the Church."⁹⁴ Forget child molestation. Placa should be tried for the murder of Raymond Trypuc since there is no statute of limitations on homicide.

In early December 2009 the Catholic Church issued this press release, "The Most Reverend William Murphy, Bishop of the Roman Catholic Diocese of Rockville Centre has been informed by the Congregation for the Doctrine of the Faith in Rome that it has completed its final review of the status of Rev. Msgr. Alan J. Placa, a Roman Catholic priest of the Diocese of Rockville Centre. The Congregation has found him to be not guilty of the allegation of sexual abuse of a minor which was made against him in June of 2002. When the allegation was made, the Diocese immediately placed Msgr. Placa on administrative leave of absence. Over the course of seven and a half years, this case has been subjected to extraordinary scrutiny including all of the elements required by the Essential Norms established by the U.S. Conference of Catholic Bishops in Dallas in 2002. This decision confirms the same decision which was determined in first instance by the Tribunal of the Diocese of Albany. The Holy See's definitive decision completes the canonical process for Msgr. Placa. This action by the Congregation for the Doctrine of the Faith renders the decision final and definitive. As a result of this decision, Msgr. Placa is no longer on administrative leave and is now permitted to exercise priestly ministry freely in the Roman Catholic Church. In accordance with the provisions of the Catholic Church's Code of Canon Law, we have been instructed by the Congregation for the Doctrine of the Faith to restore Msgr. Placa to ministry and to do what we can to restore his good name. "I thank the Congregation of the Doctrine of the Faith as well as the Tribunal of the Diocese of Albany for their work. We will abide by its decision to return Msgr. Placa to ministry," said Bishop Murphy. "We hope that everyone in the diocese will recognize that Msgr. Placa is a priest in good standing. It is my hope and prayer that this decision will bring closure and healing. We also ask people of good will to join us in praying for those who were, in fact, victims of sexual abuse. Their suffering must never be forgotten."

Bishop Murphy and Msgr. Placa have agreed that Msgr. Placa will not be given a diocesan assignment. Msgr. Placa will

HOMOTHUG

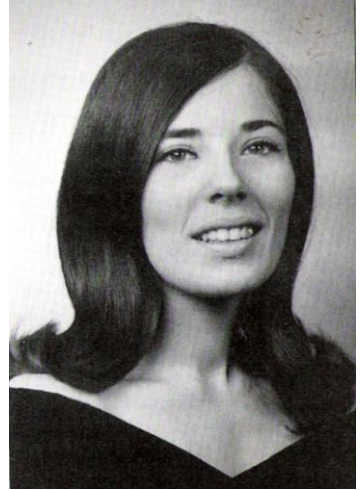
reside at St. Aloysius parish, Great Neck. Msgr. Placa's status is that of a retired priest in good standing.

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Richard Tollner was not the only individual to make these accusations and it seems as if the Church only investigated his. If Alan and Brenda are no longer living together on South End Avenue perhaps I should place an ad on Craig's list to help Brenda find a new gay roommate?

THE REGINA MONOLOGUES

Returning to the Giuliani chronology, Rudy attended NYU Law School, still a bachelor. In 1968 Giuliani graduated *magna cum laude* and went on to clerk for United States District Judge Lloyd MacMahon. Judge MacMahon had served as a chief assistant United States attorney in Manhattan from 1953 to 1957. He began his career by prosecuting communists in the armed services such as William



Perl who had lied under oath about his having attended Communist Party meetings with Julius Rosenberg.⁹⁵ He indicted Communist Party member Corliss Lamont, author and educator, with the help of Joseph McCarthy of Wisconsin. In 1955 he prosecuted four Communist Party leaders. In 1955 he successfully prosecuted the Mafia boss Frank Costello for income-tax evasion, having carefully examined the tax returns of the jurors to make sure they had not been bribed. After a whirlwind year prosecuting mobsters and commies MacMahon went back to private practice and headed the *New Yorker's for Eisenhower Committee*. In 1959 Ike appointed him to a federal judgeship. In 1961 Judge MacMahon presided over the conviction of the Bonanno crime family boss Carmine Galante and many other defendants in a drug-trafficking case. The trial was marked by the defendants' outrageous behavior. They threw objects and shouted obscenities, prompting Judge MacMahon to have them handcuffed, shackled and gagged so that the trial could proceed. Many judges still view his action as a precedent that has enabled them to establish control in unruly courtrooms.

Judge MacMahon, who called his assistants and clerks "son," became a surrogate father for Giuliani and every son wants to please his father. MacMahon, a family man with a traditional ultra-conservative Catholic view of things wanted Republican family-type people working for him. So at this juncture Giuliani needed to do two things – dump any liberal views he had harbored and produce a family or at least a wife (a "beard") to fit the profile of a heterosexual family man. Smart career move: MacMahon would get him his first position with the Department of Justice. But there was one hitch - the marriage had to be to someone he could trust with his bisexuality. So he wisely chose his second cousin Regina Suzan Peruggi (b. September 1946) who had worked as a counselor in a private drug rehabilitation clinic while Giuliani finished law school. She was family and could be trusted. Regina Peruggi's father, Salvatore O. Peruggi⁹⁶ and Harold Giuliani were first cousins: Harold Giuliani's father Rodolfo (Rudolph) Giuliani⁹⁷ and Salvatore O. Peruggi's mother, Cesarina Peruggi⁹⁸ (nee Cesarina Giuliani) were brother and sister. This made Regina & Rudy second cousins. Regina & Rudy shared vacations as small children at a summer home Rudy's grandmother rented in Sound Beach, Long Island. "We knew each other forever," Peruggi says. Rudy said he took Peruggi to his high school Junior Prom. He claimed they were chaperoned by both their fathers, who jointly drove them to the dance. Did Alan Placa take Rudy-in-full-drag to the Senior Prom? Placa said that he and Giuliani would sometimes double date, "After we'd drop off the girls, Rudy and I would spend hours in the car or walking down the sidewalks, debating ideas: religion, the problems of the world, what we wanted to be."⁹⁹ After the bogus double date was over Rudy went out on a real date with his true love, Alan J. Placa!

There was one slight problem with Rudy's marriage plan - according to the Catholic Church's *1917 Code of Canon Law* (for the Western/Latin Church) marrying a second cousin was

forbidden without the bishop's special permission (dispensation). Regina & Rudy never applied for any such dispensation despite the fact that in the eyes of the Church any sexual relations between them *constituted incest*. The Catechism of the Catholic Church states, "Incest designates intimate relations between relatives or in-laws within a degree that prohibits marriage between them. St. Paul stigmatizes this especially grave offense: 'It is actually reported that there is immorality among you for a man is living with his father's wife. In the name of the Lord Jesus you are to deliver this man to Satan for the destruction of the flesh.' Incest corrupts family relationships and marks a regression toward animality."¹⁰⁰

Helen Giuliani recalled that Placa told them that their consanguinity wouldn't be a problem, but Placa said he never offered such an assurance. Placa knew about the blood relationship between Giuliani and Peruggi: "She was always the little cousin. She was only a few years younger than us but she was always the little cousin. I dated her before Rudy." Seminary student Placa knew the marriage was incest, yet did not inform Father James Moriarity, the priest who performed the marriage, that the bride and groom were second cousins. Placa said Father Moriarity never asked Rudy and Peruggi about their blood relationship. Why should he? If any such matter existed Placa, the best man and a seminary student, would have informed him.

Regina & Rudy's childless marriage was a career move and marriage of convenience not dissimilar to the marriage of Senator Larry Craig and his former staffer, Suzanne Thompson. The couple had their first date on Valentine's Day 1980, when Craig was making his first run for Congress. On June 30, 1982, congressional page Leroy Williams alleged that he had sex with three House members when he was 17. Reporters called Craig and told him that he was one of the congressmen named by Williams. Larry categorically denied knowing Wil-

liams and to save his career, proposed to Suzanne six months after the scandal broke, on December 28, 1982. Suzanne was a particularly good *beard* because she came with three children from a previous marriage that Craig adopted. Craig and his wife had no biological children of their own despite decades of marriage.

On October 26, 1968 Rudy & Regina were married at St. Philip Neri Roman Catholic Church in the Bronx, where the Peruggi's had moved to after selling their one-family house in Long Island City in 1951.¹⁰¹ Regina attended Roman Catholic Parochial Schools. Her father was an RCA Victor record salesman, and her mother was a dancer and a former Rockette.¹⁰² Peruggi had commuted to the College of New Rochelle, majoring in sociology while living at home. She and Giuliani were married about a year after her college graduation. Peruggi entered the workforce as a drug abuse counselor at Bedford Hills, a woman's state jail, an occupation often favored by radical feminists. After this Peruggi worked as a teacher at all levels of education, then in 1974 joined the City University of New York - York College For Adult Continuing Education. Peruggi subsequently moved to Washington, D.C. with Giuliani where she worked at the Psychiatric Institute of Washington, a private rehab and mental hospital. In early 1974 they separated but were eventually reunited. Pat Rufino, who had attended St. Philip Neri Catholic School with Peruggi, told two reporters in separate interviews years later that Giuliani dated other women during his marriage. Rufino claimed that Peruggi had once discovered another woman's jewelry in their bedroom. (Maybe it belonged to Rudy?) Peruggi was liberated enough to tolerate Rudy's sexual relations with Placa but when she realized that Rudy was involved in other heterosexual relationships she drew the line and returned to New York City in 1977 estranged from Giuliani, the man whose secrets she kept. On August 12, 1982 Giuliani filed for legal separation. True to form Peruggi

refused to discuss the marriage: "Everybody has come after me for years on that. It's not something I want to talk about. I just don't think it's appropriate to talk about. We were both very young. It was a very long time ago."

In 1982 Giuliani obtained a civil divorce from Peruggi. Giuliani told *The New York Times* that after his divorce he inquired about a possible annulment to Alan Placa. According to Giuliani Placa said, "You were related; you must have gotten a dispensation." Giuliani said: "Alan, I don't recall doing that. I don't recall realizing that I had to get one." Placa said, "Well, you know, the priest may have gone ahead and done it anyway." Not incest but a comedy of errors. Before this interview with *The New York Times* Giuliani had refused to discuss the matter.

DIVORCE ALAN PLACA STYLE: Both men knew at the time of the marriage that in order to make the Rudy & Regina marriage valid in the eyes of the Catholic Church a papal dispensation had been required and that none was ever issued. These dispensations were issued routinely but Rudy and Alan did not want one to be issued in this case as this would give Rudy a way to have the marriage annulled since the Catholic Church did not recognize divorce. Giuliani stated, "This has been painted as, well, something sneaky. But I was under the impression that we were third cousins because I never calculated the lines of consanguinity. I can't tell you what Gina thought. I don't think we ever discussed it in any great detail."¹⁰³ So Placa, as previously planned, got the marriage annulled by pointing out to the Bishop that Giuliani never got the proper dispensation. As a result a Roman Catholic Annulment was granted at the end of 1983. Pat Rufino called Giuliani's contention that he miscalculated the lines of consanguinity "baloney," saying they both knew exactly how close the ties were. Rufino confirmed that Peruggi, who decided that a divorce was necessary, had sent a letter of protest about the

annulment to the archdiocese. Richard Peruggi, Regina's brother, said, "He knew he was my second cousin."¹⁰⁴ It has been suggested in conservative blogs that Giuliani divorced Peruggi over the telephone, while she was undergoing cancer treatments¹⁰⁵ but I can find no independent confirmation of this.

Peruggi's lifelong friends, Rudy and Alan, had turned out to be opportunists and betrayed her. Peruggi's boss at York College was James C. Hall Jr. a tall muscular Black Nationalist crackpot. In 1979 Hall was in the middle of his second divorce leaving his wife and Staten Island home. Hall was the anti-Rudy and Giuliani must have had a sissy fit when he heard that Regina was going out with him. Then Peruggi moved in with him without benefit of civil or religious marriage. The couple first lived at 75 Livingston Street in Brooklyn, near the Board of Education in a co-op that Hall had moved into in 1982. Records show in July 1985 they bought a house together at 249 Lincoln Road in East Flatbush, Brooklyn. I grew up at 50 Lefferts Avenue, one block south of Lincoln Road. Caribbean and Afro-American criminals had already chased the Jews and Irish out of the hood. My mother left in 1970. By 1985 East Flatbush had been destroyed by crack cocaine. I was not happy to see Flatbush Avenue lined with abandoned buildings and empty stores. When Giuliani discovered that they had moved a few blocks from the house where he first grew up, now a crime ridden area, he must have felt as if they moved there to disrespect him. Despite the fact that Jim was a Black Nationalist, their home was repeatedly burglarized. Regina was lucky she wasn't raped. In 1987 Peruggi purchased apartment 5H at 372 Central Park West, a controversial urban redevelopment project that threatened to tip Manhattan's Upper West Side. Peruggi and James sold the house on Lincoln Road to Dr. Mark Gventer in 1989. Gventer pleaded guilty to Attempted Grand Larceny in 1991 for Medicaid fraud. In 1993 the couple lived in a posh doorman building at 50 Plaza Street off Grand

Army Plaza in Park Slope, Brooklyn. They were together for a total of 12 years yet never married and produced no children. Hall's close friend, Solomon Goodrich, the executor of his will, said the main reason the two never married was because Jim was scared of reprisals from Rudy. Goodrich characterizes himself as a socialist. "I think capitalism does not work for the poor," he said, "and society needs to be reorganized differently so that the poor will have, if not equality, then equity." In 1993 Goodrich, who had been divorced since 1970, lived in East Flatbush having moved there to be close to his five grown children. Goodrich is a longtime Garveyite. Marcus Garvey was a Jamaican-born Black nationalist leader who's Universal Negro Improvement Association was the most prominent Black Power and Back To Africa organization of the 1920s. Although he was a Roman Catholic, Garvey encouraged his followers to imagine Jesus as Black and to organize their own church. Hall came out of a Garveyite background. It was unlikely that anyone in this homophobic milieu was gay. It was also unlikely that a black separatist would marry a white woman. But I suppose Hall realized Peruggi was a radical feminist committed to improving the lives of people of color.

Hall was an ex-Marine with a big mustache who had also served in the Peace Corps. Born in the Bronx in 1932, he attended New York University where he received his Bachelor's and Masters degree in Elementary Education. His Doctorate in School Administration was also earned at New York University. He studied management at Harvard University. Jim Hall first came to public notice when he was appointed principal of the Mamaroneck Avenue elementary school on June 11, 1963. His race and age caused a minor uproar in the Mamaroneck community. From 1972 to 1992 he served as Dean of Adult and Continuing Education and Vice President for Special Programs and External Affairs at York College of the City University of New York. In 1974 Hall started a reading program

to aid young offenders, "These kids [most are male and Black] came to us several ways including those whose parents had requested aid under the PINS (Persons In Need of Supervision) program, those who had been arrested and put on probation for creating trouble in school, and others who had **taken part in mugging** and shoplifting. No one convicted of **more extreme crimes** was included."¹⁰⁶ He worked as Team Evaluator to the Commission on Higher Education of the Middle States Association of Colleges and Schools. He was appointed to the New York City Day Care Council, New York State Department of Insurance Advisory Board and the Consumer Advisory Council of the New York City Department of Consumer Affairs.

In 1969, with the help of James M. Gibson, Hall wrote *Damn Reading! A Case Against Literacy*. This was a self-published book in which Hall claimed that reading should be replaced by non-verbal communication such as mental telepathy. Hall and Gibson wrote, "In order to begin to present *A Case Against Reading* let us examine more closely the previously referred to *pieces of garbage* that we have fished out of the mainstream of current thought regarding literacy and its importance in our society. One aspect of the importance of literacy is the relationship between reading success and overall success in our society. A part of this concerns reading ability and economic success. It is quite clear that in order to become an economic success, one must have, generally speaking, a college education. In order to succeed in college, in fact in order to be admitted to college, one must of necessity be able to read, and read rather well...youngsters who do not read, and those who cannot read well are, in many cases, the ones who are directed (both from inner feelings and from outward pressure) to remove themselves from the academic mainstream and to focus on some sort of vocational training or other kind of job when they leave school...It is amazing that the greater the

pressure on some youngsters to read, the more likely it is that they will, as a sign of rebellion against some aspect of the system, fail in the area of greatest importance to society, which obviously is reading!" Illiterates should be admitted to college because the only reason they are illiterate is because it is part of their rebellion against society?

"Another of the major things that disturbs us in relation to reading is how, in a democratic system, a social and economic caste system can be maintained when, indeed, lip service is given to the fact that if everybody is equal under the law, then all have equal opportunity. It occurs to us that our culture is displaying the most insidious kinds of behavior that a society has ever displayed. Educators and many of our nation's leaders tell a group of people - and unfortunately they usually represent a racial or ethnic minority as well as social, economic and sociological minority - that it is right to want to be successful in this society. Legislation is passed, and huge financial grants are created in order to support these people, or to support projects to help this segment of the society.

"One of the major focal points in these programs is reading readiness. Educators are going to develop these people through *Head Start* programs, or other kinds of programs, to the point where they have enough experiences, vocabulary-wise, background-wise, trip-wise, to learn to read. This indeed is the underlying motive, if not the stated motive, of many of these projects. We then firmly establish in the person's mind that reading is the key to success; once they learn to read, then they'll be like everybody else. They will have equal opportunity; they too will never have to feel inferior again; they won't have to hang their heads in shame, or step to the back of the labor line, or step to the back of the *social success* line." Now reading becomes a plot to hoodwink Blacks and other minorities. If you stand this reasoning on its head then the way to

have equal opportunity and racial pride is to make sure all Blacks are illiterate.

“Central to our concerns and ideas regarding the future of reading is the whole question of expanding means of communication. We have talked a great deal about the development of the senses as we now know them - the senses of sight, hearing, touch, listening, talking, and again, whatever sense or nonsense there is in reading. Many of us (or we should say a few of us) in education have noticed, without being able to support it scientifically, that there are other means of communication among humans that are not often noted...There have been several attempts focused upon working with non-verbal communication in classrooms by teachers we know. There have been some exciting successes, though not documented, kinds of experience that are known to us. In one instance, groups of children were allowed to transmit information by using what, for lack of a better word, we will call **telepathy**...A few teachers that we know have worked with youngsters in the area of what might be called **extrasensory, or extraordinary perception**.

“One could spend countless hours trying to comprehend the sensory perception developed by the blind, or other handicapped people. We could go on and explore the many aspects of human behavior that, unfortunately, are less known to the literate society and, in many respects, more known to the illiterate society. **Perhaps the illiterate societies have been fortunate**, in that they are not preoccupied with a rather devious device for holding down the further evolution of man, and they have continued to rely upon the senses, perceptions, feelings, and other aspects of the human being that, in a sense, literate people have lost or are not developing...And, possibly, society has neglected, at the risk of hurting man permanently, his further evolution, his development, his education in the utilization of himself as a tool and a total being,

intellectually, physically, spiritually, psychologically, sensually, or any other way including the whole field of **E.S.P.**

“Another example of an area that has implications for education resides in experiments that show, at least in animals, that the ability to learn is dramatically increased by increasing the number of negative ions in the atmosphere in which the animals live...Thus, it might be possible to *charge up* the learner by having him **immersed in an atmosphere containing a high count of negative ions**. We definitely think that this is an important concept for future educational environments and techniques for increasing learning readiness.”

Hall wanted to replace *Operation Head Start* with mental telepathy sessions and a high count of negative ions. Regina went from being married to Giuliani to this half-baked crackpot. This does not bespeak well of Rudy and corroborates the notion that Regina’s marriage to him was one of convenience. Other Hall works include *A Charge Against Separatism* in the journal of the Adult Student Personnel Association in 1974.

In the late 1970’s Hall and Solomon Goodrich held twelve community organizations together which formed the Southern Queens Park Association. Hall traveled extensively in Africa, India, Europe and the Caribbean. He was an avid sailor, cook and cartoonist. In 1992 he wrote *Perspectives in Adult Literacy, Adult and Continuing Education*. Hall died of a heart attack while on a trip to Maine with Peruggi on August 15, 1992. Despite his belief that Blacks are better off illiterate Hall has an organization named after him: The James C. Hall, Jr. Family Child Care Network at York College. Numerous awards are given in his honor.

Peruggi, who was director of the City College of New York literacy project, had a different take on things, “We’ve found that students feel really good about going to a college campus. Lots of adults find it a dignifying experience to be going to a college even though they are nonreaders or low-

level readers. All they have to say is 'I'm going to college,' not 'I'm learning how to read.'" Peruggi became president of Marymount Manhattan College from 1990 to 2001 then became the Director of The Central Park Conservancy. Peruggi was paid \$290,000 for her work in the year ending June 2002. She is now President of Kingsborough Community College and has



formed a group to finance educational programs at Bedford Hills prison for women. She also served on the Silver Shield Foundation along with the top brass of the NYPD, to compensate the widows of policemen killed in the line of duty. Dr. Peruggi lives in a two-bedroom apartment on Sutton Place South. In May 1991 *The New York Times* reported, "At the

moment, she is not seeing anyone." In 2003 Peruggi attended a benefit for the New York City Central Park Conservancy accompanied by Anna Quindlin, a columnist who is a staunch advocate of the right of lesbian couples to adopt children.

As a Reagan Administration associate attorney general in 1982, Giuliani hired Attorney Gregory Baldwin, a bisexual assistant U.S. attorney for Miami who had been fired by the Senate Intelligence Committee, whose chairman said he posed a security risk. From 1980 to 1982 Baldwin was Assistant Counsel to the United States Senate Permanent Subcommittee on Investigations, where he was responsible for preparing and conducting Congressional investigations and hearings on a variety of subjects.

Coming out of the closet had lost Baldwin his job on the Senate Intelligence Committee. Its chairman and the CIA said he was a security risk, under post-World War II policy, because he could be blackmailed. A colleague helped him land a tem-

porary job as an assistant U.S. attorney in Miami, Baldwin said, but when the U.S. attorney there learned about his sexual orientation, he moved Baldwin from narcotics to money-laundering cases. Baldwin wanted the job to be permanent and needed a security clearance. The FBI vetted him. He flew to Washington for a grilling. "It finally dawned on me, I was the first one," Baldwin said. "I wasn't trying to prove a political point or further the cause. I was just looking for a job." A 1982 memo alerted associate attorney general Giuliani about the wounded Vietnam War vet who had been awarded the Purple Heart. It stated that Baldwin was a *divorced father of two*, top attorney and "admitted homosexual." Giuliani asked Justice Department legal counsel Theodore Olson for an opinion. Olson sent back a memo citing 1960s lawsuits, a 1975 federal personnel code and a new policy on security clearances. He said Baldwin could not be denied a job, unless being gay affected his ability to do the job, and that Baldwin likely could win a lawsuit if he were not hired. Olson gave Giuliani an out: Hiring a practicing homosexual would indicate disrespect for Florida's anti-sodomy law, putting the Justice Department in an awkward spot. But Giuliani made sure Baldwin got the job.¹⁰⁷ Between 1982 and 1986 Baldwin served as Assistant United States Attorney in Miami, Florida, in both the civil forfeiture division and in *Operation Greenback*, the first federal multi-agency anti-money laundering task force in the United States. Baldwin was responsible for the first criminal prosecution of a bank for violation of the Bank Secrecy Act, as well as successful civil forfeitures totaling over \$15 million of narcotics-related cash and other assets. He served as the Chief of *Operation Greenback* in 1985 and 1986. Baldwin joined the law firm of Holland & Knight in 1986, and was made a partner in 1989.

THE LATEGANO AFFAIR

DONNA HANOVER: In 1983 Giuliani was appointed US Attorney for the Southern District of New York. After co-habiting with her for two years on April 15, 1984 Giuliani married Donna Ann Kofnovec the oldest of four girls, born on February 13, 1950 in Oakland, California, into a Roman Catholic family. Her parents are Robert G. Kofnovec, a United States Navy officer who retired as a Lieutenant Commander then became an engineer at Lockheed, and Gwendolyn Dolores Kofnovec. The Giuliani's had two children, Andrew Giuliani (b. 1985) and Caroline Giuliani (b. 1989). Wayne Barrett reported: "Placa...not only stewarded Rudy's annulment through the proper channels; he also claims to have arranged an annulment of Donna's previous marriage to Stanley Hanover. The marriage tribunal was just a few doors down the hall from Placa's office at the diocese of Rockville Center on Long Island."¹⁰⁸ Kofnovec and Hanover both were Catholic. Pharmaceutical commercials on television flog *Restless Leg Syndrome* medication. Rudy suffered from *Restless Dick Syndrome*. In 1994 Cristyne Lategano became Rudy's mistress. My guess is that she gave him what feminist Donna Hanover would not – oral sex. That of course is conjecture but it is a known fact that in 1994 at age 53, Giuliani and his communications director, Cristyne Lategano,¹⁰⁹ 22 years his younger, began to date and engage in adulterous sexual relations. Lategano had become Giuliani's communications director with limited *journalistic*



experience. After graduating from Rutgers University in 1987 she worked for a congresswoman then for the Republican National Committee. In 1992 she worked for George Bush's New Jersey re-election campaign before joining the Giuliani mayoral campaign in 1993. When she first joined the Giuliani Administration NYPD spokesperson John Miller and Lategano spent part of the summer together making love in the Hamptons. In Manhattan she frequented a now-defunct bar called *Hogs and Heifers* where the clientele was primarily college students and bikers. It was known for its collection of bras from women who took them off while dancing on the bar. *Newsday's* Leonard Levitt reported, "Giuliani may be deep into defending the police for buttoning up the nightspot *Hogs and Heifers* - known for female celebrities dancing bra-less atop its bar - because it lacks a cabaret license. He may not be aware that his communications director, Cristyne Lategano, performed there. But it's not as bad as it sounds. First, Lategano, wearing a button-down shirt, pulled her bra off through her sleeve and, as a viewer told *Newsday*, 'didn't show anything.' Second, the incident occurred in 1994, a year before her basement office was connected to the mayor's by **a hidden passageway.**"

Levitt first outed Giuliani's adultery. He reported three former top police officials "recalled John Miller's appearing at City Hall in the fall of 1994 and Lategano's running out of her office to embrace him while Giuliani watched in stony silence. By the beginning of 1995, however, Miller had cooled toward her. It was then, say Miller's friends and police sources that she turned toward the mayor." In 1995 in his column *One Police Plaza* Levitt reported: "Lategano is also responsible for Giuliani's public scheduling and 'more or less' schedules herself to accompany the mayor to evening functions, she said. Her promotion also merited **a newly converted basement office that is connected to the mayor's office through an inner door.** Three days before her promotion, an article in *New York*

Newsday reported the mayor shopping with Lategano for a dress on a Sunday afternoon. In the past two months the mayor's wife, Donna Hanover Giuliani, has begun appearing more often in public with the mayor, though Lategano in an interview that it was 'absolutely ridiculous to make a correlation' between Hanover's increased appearances and the article."

Leonard Levitt described this door as a "basement office connected to the mayor's by a **hidden passageway**." I asked Levitt to elaborate on the hidden passageway: "A.J., I'll be damned but I just don't remember. I think now it may have been an inner door because Giuliani also had a basement office as well as his upstairs one. But guys swore to me there was a staircase connecting it to his one above. Unfortunately, it was only described to me. I never was permitted to see it."

Urban legend has it that Donna Hanover caught the two in *flagrante delicto* on Giuliani's desk. According to the blogs, "On father's day, Donna Hanover was wondering where the father of her children were? So she goes to City Hall, and lo and behold, finds him dick deep in Lategano, banging her on the mayoral desk" or "But then, for one Father's Day, Hanover, wondering where her husband was, rolled down to City Hall, where she caught him dick deep in Lategano, according to widely acknowledged rumors." Giuliani was an experienced old reprobate and there was no way he would give her the opportunity to walk in on him. If any office hanky-panky went down it would be in Lategano's office. Wayne Barrett presented a more credible scenario: "In June 1995 tension exploded when Giuliani disappeared for most of Father's Day. He did one press event that morning and when reporters asked what else he had planned for the day he said he was going back to the mansion to play ball with Andrew. One reporter went back to City Hall, however, and saw Rudy and Lategano arrive and head to the downstairs suite. Three hours later they were still there. Bruce

Teitelbaum, another mayoral aide, was upstairs in an office and the reporter later asked if he knew what Lategano and the mayor were doing. Teitelbaum put his hand up as if to bar the question, smiled and said, 'I don't know.' The reporter finally left. An enraged Donna drove there demanding to see her husband. According to news accounts published two years later Giuliani aides kept her in a side office. When he finally came upstairs to leave the husband and wife who had so publicly announced their affection sixteen months earlier on the same City Hall steps came apart as couple."

Lategano's income rose from a \$77,000-a-year press secretary to a \$140,000-a-year communications director, a position that Giuliani invented for her. What new position did she invent for Rudy? But all good things must come to an end and Levitt reported, "No more late-night dinners with a bottle of red wine at table 40 at Jim McMullen's restaurant with communications director Cristyne... That had been Mayor Rudolph Giuliani's style until news reports said he was spending most waking hours with Lategano. Now, say sources close to his security detail, after his official nightly functions end, the mayor goes directly home for dinner at Gracie Mansion."

A September 1997 *Vanity Fair* article, written by reporter Jenet Conant, cited unnamed former aides to the mayor as corroboration of the earlier reports. She wrote that aides overheard "screaming fights" at Gracie Mansion when the mayor and Hanover were there together. *New York One Newsman* Dominic Carter confronted Giuliani about these rumors. He was told, "If you had any decency you wouldn't ask that question. No I'm not [having an affair] but it's really outrageous that you ask it." Giuliani was committing adultery – a Cardinal sin: "Sins of natural sex (fornication and adultery) and unnatural (sodomy and bestiality)." With Donna Hanover looking like Donna Pushover, Lategano-dumping time had come, and "better lategano than never." Levitt reported, "When

she left in May 1999, the mayor placed her in her current \$150,000 job with NYC & Company, formerly the Convention and Visitors Bureau, a quasi-city agency. She replaced former Liberal Party honcho Fran Reiter, whose contract had been bought out for an undisclosed sum.” Giuliani paid her well to keep her mouth shut about their sexual relationship.¹¹⁰ Despite her image in the press as a cuckolded wife, Donna stuck it out with Rudy, perhaps for the sake of her children. Donna referred to Lategano when she stated before cameras: “For several years it was difficult to participate in Rudy’s public life because of his relationship with one staff member. Beginning last May, I made a major effort to bring us back together. Rudy and I re-established some of our personal intimacy through the fall. At that point he chose another path.” Richard Tollner reported that Donna believed that there was something strange about her husband’s relationship with Placa, “The thing is only through the grapevine so it is hearsay but one of his ex-girlfriends thinks that Placa had a lot of control over him and she was surprised to find that much control.”

STICIA: In 1999 Judith Ann Stish (changed from Sticia) a busty Italian-Polish pharmaceutical saleswoman who had converted to Presbyterianism came into Rudy’s life. Her religion didn’t matter since *The New York Times* reported Rudy did not regularly attend church.¹¹¹ In October 2007 Giuliani stated, “I believe in God, I pray and ask him for help. I pray like a lawyer. I try to make a deal: ‘Get me out of this jam, and *I’ll start going back to church.*’” Stish attended a two-year nursing school and lacked a college degree. She picked up Giuliani in spring 1999 in a Manhattan cigar bar. At the time Stish was living with Manos Zacharioudakis, a clinical psychologist at Woodhull Hospital in Bedford-Stuyvesant, nine years her junior, who she picked up while she was peddling anti-psychotic drugs. They lived with her adopted daughter in a one-bedroom apartment at 136 East 55th Street in Manhattan.

Stish had been married twice before, to Jeffrey Scott Ross and to Bruce Nathan, who she called, “Jew boy” when he couldn’t afford her maintenance fee. Reverting to 1950’s Brooklyn vernacular, “Stish was like the revolving door at Macy’s – everyone had been in and out of her at least once.” Zacharioudakis field was STDs and he was the author of a paper entitled, “the issues that the psychotherapist is likely to have to deal with in treating patients with genital herpes.” Good person to



have around for a promiscuous woman like Stish but Zacharioudakis returned to Greece in 2004 with his girlfriend. Stish worked for U.S. Surgical Supply, a company that tested surgical devices on baby dogs, often called puppies. U.S. Surgical demonstrations on hundreds of dogs each year through the 1970s, 1980s and 1990s were done to boost sales, not for medical research or testing. The dogs were either put to death

following the sales demonstrations because they couldn’t recover from them, or they die during them. Rudy’s campaign staff could have put together a poster based on a variation of the famous *National Lampoon* cover that had a photo of a revolver pointed at a puppy’s head with the caption, “If you don’t buy this magazine we’ll kill this dog.” Its caption could have read, “If you don’t vote for Rudy, Judy will kill this dog.”

When she hooked Giuliani, the Mayor was in the tail end of his liaison with Lategano, and was *on the rebound*. *The New York Post* reported that Giuliani began to spend his weekends accompanied by a detail of detectives in Southampton, where Judith owned a condominium.¹¹² The taxpayers footed the bill

for this. They also frequented the Office of Emergency Management bunker at 7 World Trade Center.¹¹³ Since he had until then always accounted for his weekends, says Wayne Barrett, "his press office started telling reporters, 'He's teaching Andrew how to play golf.' Now, Andrew's old enough to understand; he has to be aware that his father *used him as a beard!*" This fits Giuliani's *modus operandi*.

Stish was at Rudy's side when Rudy was diagnosed with prostate cancer in 2001. Alan Placa told *The New York Times*, "All of a sudden, those three things came crashing down at once. His health fails, his family life is shaken, he has to make a decision as to how he will relate to the body politic, to society. It's been a dramatically challenging time." In April 2001 Giuliani's friend and divorce lawyer, Raoul Felder, acting on his instructions, announced that Rudy's radiation treatments for prostate cancer had for the past year left him impotent, making adulterous sex with his companion, Judith Nathan, impossible. Investigators at the M. D. Anderson Cancer Center found that 85% of 1,236 patients treated for prostate cancer reported having erectile dysfunction after their treatment ended. Only 13% of the men said they had firm and reliable erections spontaneously, and while many patients tried such erectile dysfunction treatments as Viagra, penile injections, vacuum devices and penile prostheses, only 8% regained near-normal erections with their use.¹¹⁴

In 2002 Rudy and Donna were history. Instead of informing his wife that he was seeking a divorce, Donna learned about it on the 6 O'clock News. In May of 2003 Giuliani returned to Gracie Mansion, the official residence of New York's mayor, for a lavish ceremony to marry Her Majesty the Bimbo Stish. It is the general consensus of the liberal press that Giuliani reached a new low with Stish. After the Florida primary the University of Virginia Center for Politics blamed Stish for Rudy's loss.¹¹⁵ Donna Hanover and her kids despised her. To

get even for her home wrecking Rudy's daughter Caroline, 18, endorsed Barak Obama. Andrew refused to help his father campaign for the Republican presidential nomination just as Donna refused. Neither was any of the three to be seen through out Rudy's short-lived presidential campaign. Andrew Giuliani, 21, told *The New York Times* about the problem in pleasant terms. In reality he probably wants to go after Judy with one of his golf clubs. But Giuliani's other wife, Howard Koeppel gave the Stish / Giuliani relationship his blessing: "Judy loves him very much and he loves her. I don't think you could live with him for 10 minutes, but she really worships him. He's not the easiest person in the world. That's just the way he is and that's why we all love Rudy. He takes no prisoners. But he's lovable." When asked about all of this discord Giuliani responded, "I love my family very, very much and will do anything for them. There are complexities in every family in America, the best thing I can say is kind of, leave my family alone, just like I'll leave your family alone." It came off as a threat. None-the-less Giuliani used his family or what's left of it – namely Stish - to reinforce his heterosexual image, one that he himself is unsure of because of prior homosexual activity. Giuliani took a cell phone call from Stish during a speech he was giving to the NRA: "Let's see now. This is my wife calling ... Hello dear. I'm talking to the members of the NRA right now. Would you like to say hello? I love you -- and I'll give you a call as soon as I'm finished. OK? OK, have a safe trip. Bye, bye ... Talk to you later, dear. I love you." In late August 2001 after a judge ruled that Giuliani could not bring Stish to Gracie Mansion while his wife and children were living there Giuliani and his bodyguard vacated the mayoral mansion to become room-mates with two homosexuals, Howard Koeppel and Mark Hsiao.

OI VEY MY SON IS GAY



Howard A. Koepfel was born on March 30, 1937, at Kings Highway Hospital, Flatbush, in Brooklyn, New York. His mother died of cancer when he was 9. He graduated from James J. Madison High School in 1955 then attended United States Military Academy at West Point, 1956 to 1957. For some reason he did not last too long at this all-male academy.¹¹⁶ Koepfel took over an automobile dealership business from his father, Nathan, who was once a leader of the Kings Highway Democratic Club. Nat, who died in 1977, was one of the first Jews greedy and slimy enough to sell German automobiles after World War II. Howard Koepfel, himself a former Democrat, met then-U.S. Attorney Giuliani in 1989. In 1989 Giuliani expressed his support for a gay rights bill. Howie was so impressed with the man that he switched parties and helped elect him New York mayor in 1993. Howard's close relationship with Giuliani surfaced in the press in September 1993 when Koepfel withdrew about \$50,000 worth of commercials for his Infiniti, Mitsubishi and Nissan auto dealerships in Queens from cable TV station New York 1. Koepfel complained that the channel's coverage was biased in favor of Mayor David N. Dinkins. By 1996 Howard had already been made an honorary Police Commissioner and an honorary Deputy Fire Commissioner. During a funeral for a fallen firefighter that year the pushy Koepfel made the mistake of trying to sit in the front pew, a spot reserved for the mayor and real police brass. Department Chief Louis R. Anemone cursed him out. Koepfel

must've felt he was the Mayor's wife and wanted to sit next to him and hold his hand.

By January 1999 Koeppel, who had become a top fundraiser for Mayor Giuliani -- as well as possibly the Mayor's paramour, held a dinner for him on the St. Regis Roof. Koeppel told *The New York Times*, "I can't sell anything I don't believe in, be it cars or people in public office." Howard's guests paid \$1,500 for the privilege of eating with Giuliani. "Why don't we smoke a cigar together later?" Giuliani said to Koeppel. In a post-dinner party, Giuliani and Koeppel sucked on phallic cigars and drank cognac. By midnight, Giuliani, Koeppel and his domestic life partner Mark Hsiao were the only ones left; the Mayor's chauffeur drove them all home. Mark Hsiao had been the 64-year-old Jewish Queen ('s) car dealer's 41-year-old partner for the last 10 years. Koeppel and Hsiao are registered domestic partners, but due to the age difference Hsiao is more like his hairless houseboy. "Even though he's a devout Catholic, Rudy doesn't see us as a gay Jew and a gay Chinese guy," Koeppel says. "He's never said to me: 'Couldn't you find a nice Jewish man?' Something my own relatives might have said."

Koeppel and the Gay Mafia got Hsiao some plum positions: Hsiao was a deputy director of the New York City Department of Transportation, managing construction and street-closing permit operations. When Mayor Giuliani declared June 18, 2001 "Out In Government Day" Judy Ramos of the Department of Transportation accepted an award.¹¹⁷ He was also an administrator for the Department of Cultural Affairs and deputy director of the city's Art Commission. "Mark's jobs had nothing to do with my fund-raising," Koeppel said when asked if patronage played a role in Hsiao's hiring. "Mark got these positions on his own initiative and on his own merits, *and he works hard at what he does.*"

Koeppel said he was drawn to Giuliani's anti-crime platform because automobile break-ins and thefts by Blacks and other minority groups were cutting into sales at his three car dealerships on Northern Boulevard. A Blackman allegedly shot at Koeppel during a robbery attempt. It was outside one of his dealerships in 1992 that he opened the door of his Infiniti and was met by a man who had leaped from a white Lexus. Brandishing a .45 automatic, the man demanded his Rolex watch. Koeppel told the police that although he handed over the watch and \$40, the robber threatened to kill him, then fired and missed. Koeppel, who had received a Police Department gun permit in the early 1970s, said he fired his own .38 Smith & Wesson at the mugger as he fled in the Lexus, which was driven by another man. "I was very lucky," Koeppel said, "but I think I got him." The police later found the car, abandoned, with blood in the front seat. Aside from the fact both men disliked African-Americans I suspect that Koeppel was also drawn to Giuliani because sensed the fact that Giuliani was bisexual.

Since 1989 Koeppel contributed at least \$22,000 to Giuliani's campaigns. Koeppel has also raised hundreds of thousands of dollars from others. For the 1997 campaign he brought in \$170,160 from individual donors, mostly his friends and business acquaintances, making him the Mayor's leading fund-raiser bundler. Koeppel threw the weight of the Gay Mafia behind Giuliani. The take from the event at the St. Regis, was over \$400,000. *The New York Times* reported that Howard was connected to a series of illegal campaign contributions.¹¹⁸ In 1997, the city's Campaign Finance Board ordered the Giuliani campaign to return several thousand dollars that Koeppel had raised. *The New York Times* reported that there were times when Howard and Rudy danced together and had an intimate moment without Rudy's security detail, "Howard Koeppel has also informally advised the Mayor on gay-rights issues, including the domestic-partnership law signed last summer. *How else*

to explain the impulse that led Mr. Giuliani to give Mr. Koeppele a tango lesson one day in Gracie Mansion? The moment is memorialized in a picture on Mr. Koeppele's office wall. Or that night in September 1996 when the Mayor gleefully took Mr. Koeppele up on his suggestion that Mr. Giuliani drive the 100 miles back to Gracie Mansion from a Southampton fund-raiser in a 1935 red Ford street hot rod, valued at \$30,000. 'It was a Jewish hot rod,' Mr. Koeppele said, 'with power windows, air-conditioning and a CD player. It's not bad enough that Rudy is blasting opera the whole way,' he added, deadpan, 'but he's explaining all about opera the whole way.'"

A pattern is emerging. Remember the double dates with Placa after which they would go for a drive together? Giuliani again puts himself in a situation where he is alone with another gay man. There is no denying that these men were tight. Just how tight remains to be seen. Koeppele has been a fixture at Giuliani's tightly restricted election-night gatherings, including the one in the 44th-floor suite of the New York Hilton November 3, 1998. Koeppele and Hsiao have attended the opera with the Mayor and Donna Hanover on several New Year's Eves, and Koeppele has gone to baseball games with Giuliani and his son, Andrew. "Why would he take Mark and me into his family, with his kids, if he had any prejudice?" Koeppele asked. Koeppele occupied Giuliani's seat as chairman of the Mayor's Committee on City Marshals, represented the Mayor on Carnegie Hall's board and was a member of the Taxi and Limousine Commission's advisory board. All were unpaid posts. In May 2001 Howard Koeppele, Judith Nathan and several friends including Raoul L. Felder, the mayor's divorce lawyer, would meet for dinner each Sunday. In June 2001 Giuliani hosted a reception at Gracie mansion in honor of New York City's lesbian and gay community and proclaimed June *Lesbian and Gay Pride and History Month*. "It would be impossible to imagine modern New York without the enormous contributions

gays and lesbians have made to every aspect of life in our City. New York would not be the Capital of the World -- the top city for business, technology, academia, fashion, theater, the culinary arts, the visual arts and a whole range of other human pursuits -- without the presence of our gay and lesbian community. The talent and energy of this community will be an essential element of our City's continued growth," said Giuliani.¹¹⁹ On August 14, 2001 Koeppel and Giuliani attended a concert in Central Park afterwards getting together at Koeppel's home. After 9/11 this was the residence Giuliani returned to. It was from this milieu that the decisions regarding 9/11 were made: The two homosexual and one bisexual roommate lived in a decadent three-bedroom, five-bath apartment furnished with Chagall paintings and a life-size David statue at 303 East 57th Street. Mark and Howie have left this apartment and moved to 10 West Street in Battery Park in case there are any cat burglars reading this who know a fence that can move some Chagall originals. While he lived on East 57th Giuliani kissed both new roommates on the cheek. "It's an Italian thing," explained Koeppel. Hsiao hinted: "It's also a gay thing."



"I taught him a lot of expressionism, Koeppel told *New York Times* reporter Frank Rich. "He didn't know what a *Friend of Dorothy* was." A *friend of Dorothy* was a covert way of saying someone was gay. Frank Rich asked Koeppel: "Is it unexpected that Rudolph Giuliani would be staying with an openly gay couple?" "I don't know if it's any more unusual than him wearing a dress. It is like *The Odd Couple*, When Rudy leaves after breakfast, I ask, 'What time are you coming home?' and he calls me Mother. Gay people are very clean,

but Rudy is very clean, too. He makes his own bed. We have a lot of fun with it; *I kid Rudy sometimes. I say, listen, if this thing doesn't work out now with Judith -- whom we're very fond of -- don't you think you've had enough? Why don't you come over to our side?* And he said, you guys have an idyllic life -- you're very happy. He said, 'I'll have to think about it.' He doesn't have any problems with it -- his only one is with Donna. He doesn't have any hang-ups socially. I think the fact that we have such a good relationship makes him more comfortable. About four weeks ago I started venting to Rudy about Mark's fetish about pillows. I took him to our bed, which has about 20 pillows. He told me to calm down. He said, 'You can't get upset about things like this. You have trouble with pillows -- just imagine what I'm going through each day. You're so lucky to have someone like Mark.' Rudy got me so chilled out. *He did tell us that if they ever legalized gay marriages, we would be the first one he would do.* As far as I'm concerned he could stay here forever, I could listen to him all day and not be bored with him - - not that I agree with everything he says. That's how much I enjoy having him around. Actually, I love him. *It's not sexual - it's just mental. I have my preferences, and I don't find him attractive at all* [It's not that Rudy is not gay, its just that he doesn't turn me on. Look for a bulge in Koeppl's pants the next time he appears in public with Rudy -- if there is a next time].

"I say, listen, if this thing doesn't work out now with Judith -- whom we're very fond of -- don't you think you've had enough? Why don't you come over to our side?" Many a true word is said in jest. "He did tell us that if they ever legalized gay marriages, we would be the first one he would do."

The New York media reported, *Giuliani Would Marry Gay Couple if Gay Marriages Were Legalized*. Now Giuliani's campaign website states, 'Rudy Giuliani believes marriage is between a man and a woman. He does not - and has never -

supported gay marriage.' Giuliani made it clear he disagrees with Bush's proposal to rewrite the Constitution to outlaw gays and lesbians from tying the knot. "I don't think it's ripe for decision at this point," he said on NBC's *Meet the Press* "I certainly wouldn't support [a ban] at this time." Although Rudy may grudgingly say he doesn't support gay marriage (and it would be political suicide for him to do otherwise), in reality he is all for it.¹²⁰

Giuliani equivocated when he appeared on a later edition of *Meet The Press* and was asked if he believed homosexuality was sinful, "My, my, my, no, I don't believe it's sinful. My, my moral views on this come from the, you know, from the Catholic Church, and I believe that homosexuality, heterosexuality as a, as a way that somebody leads their life is not, isn't sinful. It's the acts, it's the various acts that people perform that are sinful, not the, not the orientation that they have." Homosexuality isn't sinful but homosexual acts are. But how can you be a homosexual without engaging in homosexual acts?

"The Mayor is proud to be Howard's friend," said Cris-tyne F. Lategano, "and values his friendship so much *he likes to keep that private.*" Howard Koeppel was credited with getting Giuliani to address the 1996 fund-raising dinner of the Empire State Pride Agenda, a bipartisan, 5,000-member group that supported David N. Dinkins for mayor in 1993. "Howard felt that the Mayor would be well received at Empire State Pride Agenda, and indeed he was," the Mayor's Chief of Staff Randy Mastro said. "Howard was very effective in going to the gay community to show them that Rudy was their person as well [as Dinkins]," said Peter Powers. Giuliani was heckled during this speech when a man yelled out, "What about our school children?" Giuliani repeated, "What about our school children?" and the heckler responded, "Let's teach them with the Rainbow Curriculum." The Rainbow Curriculum contained reading material such as *Heather Had Two Mommies* as

recommended reading for very young minds. A gay man was telling Giuliani, who they believed was a “breeder” as gays term heterosexuals, that he must indoctrinate children the gay way and not in the way of the child’s parents. The chicken hawks were coming home to roost. Giuliani was flustered, “Now there are things we disagree about and it makes, actually, actually, if you were to tell me what you disagreed with me about I would not hiss you or boo you I would listen to you.”¹²¹ Giuliani didn’t ask him, “Do you have children in the public school system?” He was willing to listen; he was conciliatory and refused to tell this man off.

Gay activist Jeff Soref stated, “Rudy and Howard and Mark go to baseball games together, they go to the opera, [Giuliani and Hsiao are both ardent opera buffs and if Mark Hsiao had attended Bishop Laughlin he no doubt would have joined the Opera Club with Placa, Rudy and Powers] and Mark gets called to play piano for dinners.” So Rudy is tight with three conservative gays, Howard, Mark and Alan. But just how tight? Up the kazoo tight? Mark and Howie double-dated with the mayor and Donna Hanover on New Year’s Eve. Alan Placa and Rudy also double dated. Again a pattern is emerging. Little birds of a feather like flock together.

In May 2009 Howard Koeppel and Mark A. Hsiao, who



had met in a gay bar, were married at the home of their friends Jeff Soref and Paul Lombardi in Westport, Connecticut. Mary C. Pugh, a justice of the peace in Norwalk, Connecticut, officiated. Mr. Soref, an expert on Asian art, organized Lincoln Center’s first salute to Gay Pride benefit as

part of New York City's celebration of Gay Pride Week and he is a past Co-Chair of the National Gay and Lesbian Task Force and the Empire State Pride Agenda. From 1991-1994, he was also President of the Board of Directors of the Gay Men's Health Crisis. The couple invited Rudy, but the former Mayor did not attend the ceremony. There was some speculation in the media that this was because Rudy was planning to run for either Governor or Senator from New York as a Republican opposed to gay marriage. In October 2009 an article appeared in the *Villager* quoting this author as saying, "I have books left in case he decides to make a run. I'm going to send them out to the whole Republican National Committee so they will know who they are dealing with. In December 2009 it was announced that Rudy had taken a job as a security consultant for 2014 Rio Janeiro Olympic Games and was retiring from politics. Not only did Rudy know how to give head, he knew how to quit when he was ahead.

In April 1992 Giuliani and several New York City Republican elected officials joined with the Tri-State Republican Log Cabin Club, to call on the State Senate to immediately pass the Bias-Related Crime Bill. In 1993 Giuliani marched in the Gay Pride Parade with the Log Cabin Republicans and wrote this to the Senate Majority Leader, "I am writing to convey my support for the current legislation to prohibit discrimination against gays and lesbians, and to urge you to allow the bill onto the floor of the Senate for prompt action." In September 1999 Giuliani gave the keynote address at the annual leadership conference of the Log Cabin Republicans. The *Village Voice* reported, "It was the most supportive gesture that any Republican politician has ever made toward gays and lesbians."

NAMBLA: According to *The New York Times*, Giuliani attended every gay pride parade in New York during his eight years as mayor. The most notable was in 1992, during his first run for mayor, when he took part in a pride parade that included a contingent of child molesters marching behind a banner for NAMBLA. Giuliani marched just behind the NAMBLA float. Ray Kerrison of the *New York Post* wrote that his “unseemly hustle for the homosexual vote marks his collapse as a credible public figure.”



In June 1994 Giuliani delivered a formal welcoming speech at the Gay Games. “This is exactly the kind of event the Mayor of New York is always going to participate in,” said Deputy Mayor Fran Reiter. Later in June 1994 an interview with Giuliani was featured on the cover of *The Advocate*, a national gay and lesbian news magazine. The interview was in reaction to a statement made by the Reverend Ruben Diaz who stated that the Gay Games and Stonewall commemoration would increase the spread of AIDS. At first Giuliani said he disagreed with Diaz but respected him because his ideas were “based on a moral theology developed over thousands of years.” In the *Advocate* interview Giuliani changed his tune, “What Reverend Diaz said was wrong, incorrect and spreading rather than combating misperceptions about gays and lesbians. I think that Gay Games and Stonewall will do exactly the opposite of what Rev. Diaz is saying by reducing stereotypes about gay people. That will make New York City a better place...”

THE STONEWALL RIOTS: In late June 1969 gay men and lesbians marched to celebrate the anniversary of the Gay Pride Movement that began in 1969 at a sleazy Mafia-owned “private club” called *The Stonewall Inn* in Greenwich Village. On the night of June 27, 1969 police raided the Stonewall, armed with a search warrant to investigate the illegal sale of alcohol to minors. The staff, as well as three drag queens and two male-to-female transsexuals were detained. The gay, lesbian, bisexual and transgender bar patrons began to throw bottles and rocks at the police. A full-scale riot ensued. Several officers were injured.

In 1994 there were two marches to commemorate the Stonewall uprising. The authorized march passed the United Nations while an unauthorized one moved up Fifth Avenue though a Federal judge had upheld the city's refusal to grant permits for two parallel marches. The police officers did not intervene and stop the illegal march. The Mayor supported their not enforcing the law. He made his remarks at a City Hall news conference as he stood with organizers and athletes from the Gay Games to thank them for how they organized the weeklong Olympic-style event that featured 11,000 gay and lesbian athletes. Asked if the police response to the march signaled two standards of justice, Giuliani said, “No, absolutely not.” Giuliani said he had left it up to the police to decide how to handle the march, although he admitted, “If I hadn't agreed with the decision being made, I would have reversed it” and he praised the department's actions. He said the police response “will leave the impression” that the Police Department “exercises common sense in the way in which they act and take into consideration what can be done, how it can be done, how can you best get through a demonstration with the least amount of damage of property...Let's say somewhere between 6,000 and 10,000 people wanted to march up Fifth Avenue illegally. You cannot arrest 6,000 people.

You can't do it. It's not conceivable that you can arrest 6,000 people without creating an enormous riot. So what you do is you allow them to march, try to keep it to a minimum number possible." The police did not have to arrest every marcher. Once mass arrests began most marchers would have dispersed. Had it been leftist marchers instead of gays Giuliani would have come down on them like a ton of bricks. But because he was gay, Giuliani let them break the law.



In June 1995 Giuliani invited 125 gay and lesbian New Yorkers for breakfast at Gracie Mansion. He told them he would join in the Lesbian and Gay Pride March, after it passed St. Patrick's Cathedral. "You have a right to make your First Amendment expression," he said.¹²² Giuliani drew the line at the gay activist group ACT UP's planned disruption of services inside St. Pats and would join his brothers and sisters after the deed had been done. In 2001 Giuliani boycotted the Saint Patrick's Day Parade because homosexuals were excluded from marching in it.

The 8th Annual Gay Pride Celebration was held at Gracie Mansion in Manhattan, New York on June 21, 2001, and for the first time, at the perennial urging of Stonewall Veteran Association it was held not as an early morning breakfast but as an evening cocktail party. In June 2002 Giuliani wrote this to the Stonewall Veteran Association, "I wish to extend my warmest congratulations to you on the occasion of the 33rd anniversary of the 1969 Stonewall Rebellion. The Rebellion was a triumph at a time when the struggle for Gay, Lesbian, Bisexual and Transgender Civil Rights was just beginning."

Giuliani allowed the Stonewall gays to participate in an illegal march then invited them to Gracie Mansion where he

heaped praise on them. These folks, no matter how just the reason, attacked the NYPD! This kind of behavior was supposedly unacceptable to Rudy.

Giuliani must have had a special place in his heart for militant homosexuals because he never gave other protestors that much latitude; in 1998 Judge Leonard B. Sand of Federal District Court in Manhattan ruled Giuliani's denial of permits to the Yippies¹²³ Million Marijuana March was unconstitutional. Judge Sand ruled that the city law violated First Amendment guarantees of free speech because, without safeguards like specific time limits for a response to applications, the law did not sufficiently restrict the risk of censorship by city officials. The reason that he let things slide when it came to gays but went the other route when it came to pot was because Giuliani's lips had never touched a marijuana cigarette; they had only touched penises. When Hillary Clinton's people played Billy Joel's *Captain Jack* by mistake at a Hillary event Giuliani opined, "Can you imagine, if George Bush had held an event and right before the event a song was played that said, Let's say yes to drugs, let's glorify drugs, let's glorify pot?" He said there was a possibility the choice of songs had been intentional and wasn't just the product of a snafu. "It means that people of that ilk and that ideology are around you." Giuliani also opposes medical marijuana. "Marijuana adds nothing to the array of legal medications and prescription medications that are available. We should keep it illegal, and I'll keep it illegal." In 1992, New York City had 742 marijuana possession arrests; by 2000, after six years of Giuliani, that number had risen a mind-boggling 7,000 percent, to more than 52,000 according to FBI statistics. Money that could have gone to increase police salaries went to police overtime due to the time expended running someone through the system. For example in 1993 Giuliani spent \$143 million in police overtime much of which stemmed from his crackdown on pot. It is no wonder the NYPD

Policeman's Benevolent Association has refused to endorse him for president. In May 2000 Giuliani ordered New York City Police Commissioner Howard Safir to conduct mass arrests at the 29th annual Yippie Marijuana March. More than 300 people were taken into police custody after lighting up for their cause. The police said most of those arrested were charged with misdemeanor marijuana possession, despite the fact that possession of less than 25 grams of marijuana is a violation in New York State, similar to a traffic ticket. This was because they were charged with public display of marijuana, rather than possession.¹²⁴ Giuliani also ordered Commissioner Safir to administer summary punishment to the arrestees. Not only were they put through the system, they were locked in police vans in the 90-degree heat for 3 to 4 hours before being transported to Central Booking at the Manhattan jail later renamed "The Bernard Kerik Detention Center." This author along with Yippie Museum Board member Dana Beal were co-founders of the first Marijuana Smoke In held in Tompkins Square Park in 1967. When Giuliani announced his candidacy for United States President I began extensive research into his background.

DON WE NOW OUR GAY APPARELS: The first thing that comes to people's minds when I suggest Rudy is gay is his cross-dressing. Giuliani violated the biblical passage, "A woman must not wear men's clothing, and a man must not wear women's clothing"¹²⁵ and in March 1997 Giuliani appeared in full drag at a roast of the Inner Circle, a funding raising dinner and satirical show involving present and former members of the City Hall press and city officials. Giuliani played a transvestite nightclub singer in a parody of Victor/Victoria the plot of which was: In 1930s Paris, Victoria Grant, a struggling female singer, is unable to find work. She runs into Carroll Todd at a Paris restaurant. Todd has a plan to help both her and himself:

Victoria will pretend to be Victor, a man pretending to be a woman, and get a job as a female impersonator in a nightclub. In order to enhance the ruse, Todd will pretend to be her gay lover. Rudy Giuliani told *Fox News* that this showed voters another side of him. "I think what they'll find out about me is I enjoy having fun. I mean I really enjoy those Inner Circles. I



made them fun, and enjoyed them. And so you're going to get a couple of things people can interpret different ways, I guess."¹²⁶ In November 1997 Giuliani hosted *Saturday Night Live*¹²⁷ where he

appeared in one skit as a bosomy, gray-haired Italian grandmother in lipstick and a flowered housedress, with stockings pulled halfway up his calves.

Legend has it that in 2001 on the way to give the keynote address at a fundraising dinner for The Empire State Pride Agenda, Howard Koeppel double-dared Giuliani by saying that if the Empire State Pride Agenda was able to raise \$100,000 donation for the homosexual victims of the September 11th attacks, Giuliani should agree to appear on *Showtime's* controversial *Queer as Folk* television program in drag. Koeppel knew Giuliani would jump at the opportunity, since by this time he knew Giuliani was bi. *Queer as Folk* was a show that employed soft-core gay pornography as one of its biggest draws. It was inspired by the original series in Britain, which featured a storyline in which a 29-year-old man has a sexual relationship with a 15-year-old boy.¹²⁸ I wonder if Placa subscribed to *Showtime*?

OI VEY MY SON IS GAY

POLITICS MAKES STRANGE BEDFELLOWS

While I was baby-sitting one day one of my charges kicked me in the testicles. I began to wonder who this kid's parents were? I discovered the child had two moms and one of them worked for Giuliani. It seemed incongruous to me that someone as conservative as Giuliani would hire such a butch-looking woman. But he did. You can call me Joseph McCarthy Jr. – but I went on a witch hunt looking for gays in the Giuliani Administration: Christopher R. Lynn, a lawyer who worked in the Giuliani Administration as Commissioner of Transportation and head of the Taxi and Limousine Commission was gay. Responding to the public's surprise in regard to Rudy moving in with his brunch buddies Howard and Mark, he had this to say: "This is the mayor who introduced the law making domestic partnerships legal in New York. His attitude toward gays is only unusual for people who don't know Mayor Giuliani's record."



The original Domestic Partnership Law started out as a heterosexual thing. The revised law stated, "By the end of April 1998, there were approximately 8,700 couples registered as domestic partners in New York City. More than 55% of those registered domestic partners were heterosexual couples, and less than 45% were same sex couples. Almost forty percent of registered domestic partnerships have accessed City health benefits available to partners of City employees and retirees." The 1998 law had some nifty provisions regarding domestic partner swapping,

“Neither of the persons is a party to another domestic partnership, or has been a party to another domestic partnership within the six months immediately prior to registration.” You can switch wives every six months! Another provision Giuliani signed into law was somewhat ironic; “The persons are not related to each other by blood in a manner that would bar their marriage in the state of New York.” What was the new legislation about? “Declaration of policy. It is hereby found that significant changes in our society have resulted in the creation of diverse living arrangements and the development of **nontraditional family compositions or familial units**. Brought about by economic and practical concerns as well as emotional, sentimental and other forces, individuals who are committed members of a **nontraditional family** duly deserve protection against discrimination. A procedure to officially create and terminate a **nontraditional family unit** is hereby established and it is declared the policy of the city of New York to prohibit harmful discrimination by the City of New York against **nontraditional family units**.”¹²⁹

Lynn was an Uncle Tom gay. He supported Rev. Ruben Diaz, New York’s best-known homophobe, and he told the *Advocate*, “I consider Ruben a friend. As a member of the Civilian Complaint Review Board he has voted lock, stock and barrel with the gay community. My position on this one is like that of the mayor – you should punish people for their actions not their beliefs. Ruben’s actions have been great.” When Lynn ran for a seat on the New York City Council his campaign manager was arrested for possessing cocaine, heroin, guns, and ammunition. In the 1980’s, Federal prosecutors characterized him as a house counsel to crack dealing gang but a judge wouldn’t buy it and he continued to represent the gang. Lynn had his bitchy moods – he suspended a taxi driver’s license on the spot because the driver had an argument with Lynn’s

boyfriend. Lynn's chauffeur was arrested for impersonating a police officer. He pleaded guilty to a lesser charge.

Lynn was the lawyer for the coalition of 50 political, religious, educational and other activist groups who filed a lawsuit in State Supreme Court in Manhattan and sought a declaratory judgment overturning the state rules that were sought to slow



the spread of AIDS by closing establishments that permit "high risk" sexual activity. The suit, by the Coalition for Lesbian and Gay Rights, challenged the constitutionality of rules that empowered local health officials to close bathhouses, "glory hole" establishments, bars and other businesses where high-risk sex - defined as oral or anal intercourse - took place.¹³⁰ Lynn probably fre-

quented these establishments.

Democrat Antonio Pagan was another gay political supporter of Giuliani. In July 1998 Pagan introduced the aforementioned domestic partnership city ordinance. The archdiocese denounced the plan, calling it "contrary to moral natural law," but Pagan and the mayor pushed it through the City Council. Giuliani rewarded Pagan who also supported his re-election with a high-paying cabinet position as Employment Commissioner. Pagan was another Uncle Tom gay. He backed the reappointment of Ruben Diaz to the Civilian Complaint Review Board, even after the minister made a series of antigay remarks and Pagan opposed granting a permit for Wigstock, the annual drag festival, in his district.

One of the sleaziest gays in the Giuliani Administration was Russell Harding. Paying off patronage to Liberal Party leader and close friend Ray Harding Giuliani appointed his son, 38-year-old Russell Harding to the position of Housing Devel-

opment Corporation Commissioner. Despite his lack of experience, college degree and expertise, Harding received a six-figure salary. In 2001 Harding was charged with a six-count indictment. Included were financial crimes and two child pornography violations. Fred Sawyers of Indianapolis provided emails to investigators in which Harding wrote, "I sometimes wonder if you fully understand that I'm a pedophile who needs young boys to be totally happy. I'd love to find a kid in high school still though or younger...but it's just too risky looking for that young anymore."¹³¹ According to Sawyers, Harding spoke of plans to re-visit Thailand, where he had once taken a sex tour. In his last days on the job, Harding booked a \$10,000 trip to Southeast Asia, including several stops in Thailand, and billed it to the housing corporation. Ray Harding was married and had two daughters. He claimed his family had no idea he was *on the down low* until the scandal broke. Harding was locked up on their complaint when he threatened suicide on the eve of his November 2003 trial. Harding pleaded guilty to possession of child pornography and got a 63-month sentence despite his having feigned mental illness. He is currently not listed as a sex offender in New York State.

Martin Barreto, a former press aide to Giuliani was found naked and strangled in a bed inside a cousin's million-dollar Greenwich Village apartment. Barreto was an assistant press secretary for Giuliani where he organized a coalition of prominent Hispanics to support the Mayor's Hispanic initiatives in New York City. Barreto, who lived a luxurious lifestyle with high-powered clients in New York and Miami, was discovered lying near a condom wrapper and safe-sex aids. Barreto's distraught relatives, who have ties to former Nicaraguan President Violeta Chamorro, were stunned by his brutal death, "His larynx was crushed like an eggshell," as the killer wrapped his arm around Barreto's neck, killing him with a wrestling hold.¹³²

Did a homophobic psychopath kill him or was he into “rough trade” violent and often-brutal sex acts?

Richard Tollner added this to our knowledge of gay connections, “I am not saying anything negative because I wouldn’t want to cast aspersions on somewhat of an acquaintance and classmate. We had a classmate who ended up going into the field of law and by all means a gay connection, gay example, gay co-incidence is this guy ended up being gay and Placa got him a job in Giuliani’s office. Terrance Galligan. Birds of a feather flock together. I don’t give a crap if these guys are gay but if they got their jobs through discrimination, positive discrimination these are civil rights violations.” Galligan is currently residing in San Francisco. Franc Martarella was appointed Special Projects Supervisor at WNYC radio in Manhattan and helped privatize this institution. Frank recently married Alan Herskowitz.

When it became politically advantageous to do so Giuliani would gay bait other gays; Giuliani gay-baited gay Mexican-American Ramon Cortines who ironically enough had been selected by Giuliani’s supporters on the Board of Education to become Chancellor of Schools. After Cortines had clashed with him, Giuliani described him as “precious” and “the little victim [actually the little faggot].” Republican Maryland Congressman Robert Bauman and conservative fund-raiser Terry Dolan were also gay baiters. Bauman’s political career ended in 1980, when he was charged with soliciting a teenage boy for a paid sex act; Dolan died in 1986 of AIDS complications.¹³³ That’s it for Giuliani’s sex life in more ways than one. Let’s move on to an area first uncovered by Wayne Barrett – the Giuliani family factor.

THE FRUIT OF A POISONOUS TREE

Exodus 34: “He will by no means leave the guilty unpunished, visiting the iniquity of fathers on the children and on the grandchildren to the third and fourth generations.” Both sides of Rudy’s family were associate members of organized crime families and that is why in this section of *HOMOTHUG* we’re going to examine the Giuliani family tree. The 1910 Manhattan voter registration files of East Harlem reveal that Rudy’s paternal grandfather was an Italian born tailor named Rudolfo Giuliani (b. 1899) and that he married Evangelina Giuliani and had two children, Aroldo [Harold] and Mary. The 1930 voter registration files indicate that was Rudolfo *Juliano*¹³⁴ had six children: Marie D. Juliano, Olga C. Juliano, (b. February 12, 1914 d. April 1978) Angelo R. Juliano, Rudolph Juliano Jr. and **Harold** Angelo Juliano (b. March 25, 1908 d. April 1981 Oakland, Queens).

On his mother’s side of the family Rudy’s maternal grandmother, Adelina Stanchi, married Luigi D’Avanzo (d. June 16, 1925) and gave birth to James D’Avanzo¹³⁵ (b. August 3, 1904); Fanny D’Avanzo (b. November 15, 1905); William D’Avanzo (b. December 8, 1907 d. May 1980); Guglielmo D’Avanzo (b. December 15, 1908); **Helen** C. D’Avanzo (b. September 26, 1909 died 2002); Tullio V. D’Avanzo aka Leo D’Avanzo (January 19, 1913 or 1912 d. August 1977); Ernano D’Avanzo (Edward - b. January 3, 1915 d. December 16, 1988) and Roberto Nunzio D’Avanzo (b. March 25, 1917). Also mentioned are Adelina D’Avanzo (b. May 31, 1888 d. November 1976) and Vincent D’Avanzo. The family lived at 181 Jackson Street in Brooklyn. The 1930 Brooklyn voter registration files revealed Vincent D’Avanzo had become head of household; Adelina was listed as mother and Helen, Leo,

Edward and Robert were listed as children. In 1944 Edward D'Avanzo was arrested for burglary.¹³⁶

HAROLD GIULIANI AND FRANK COSTELLO: In 2000 Mayor Giuliani said, "I miss my father every day of my life. And he's a – very, very important reason why I am standing here as Mayor of New York City."

The New York Times reported, "Giuliani's friends say he idolized his father, a man of strong opinions, rough language and a curious mind. 'A major theme with Rudy's father was his hate for organized crime,' says the Rev. Alan J. Placa, a Long Island priest and a lawyer as well as a lifelong friend. 'Harold Giuliani felt people were prejudiced against him because he was Italian. But he didn't get angriest at the prejudiced people - he hated Italians in organized crime for giving all Italians a bad name.' Father Placa remembers the father and son looking over a list of Federal judges about 20 years ago, and the father commenting on the scarcity of Italian names, saying it was up to his son's generation to do better."¹³⁷

The child molester was lying. Giuliani's father, Harold Angelo Giuliani was a *torpedo* for Frank "The Prime Minister" Costello (b. January 1891 entered the US in 1900) who for many years was the *defacto* Mayor of New York City. Costello and Harold grew up on the same lean streets of East Harlem, then known as Italian Harlem, a run-down out of the way neighborhood filled with substandard immigrant housing - an uptown Little Italy.¹³⁸ Harold lived at 313 East 123rd Street, now a city-owned housing project while Costello lived at 234 East 108th Street, which is



still standing as you can see from the photograph above. Costello had *everyone and their grandmother on the pad*; he was "the brains" behind organized crime in the five boroughs – a criminal genius who paid off police, judges, jurors, district attorneys, correction officers, and politicians on all levels of government. Costello enjoyed more political clout than any other mobster in the US and was popular and well liked. Allegedly Costello refused to deal dope; he believed that the Mafia did not need narcotics to make money and the sentences meted out so for narcotics violations were so long that mafia members would be forced to co-operate. This aversion to selling drugs was not shared by his associate Vito Genovese, a known drug dealer throughout his criminal career. Costello had a 34-year run without spending a day in prison. Ironically it was Giuliani's boss Judge Lloyd MacMahon who finally put Costello away.

Harold Angelo Giuliani was a product of poverty and a culture of violence that existed in Italian Harlem in the early 1900's. The headline from a *New York Times* dated November 17, 1907 headline stated, "Trap For Black Hand Men / Three Italians Arrested After a Chase on Street Cleaners Complaint." The article concerned three members of the Bronx "Italian Squad" who dressed as butchers and met a street cleaner who complained he was being shaken down by a member of the *Black Hand*. He was given marked money that he was supposed to give to the *Black Hand* agent. Just as he was about to do so two other Italian mobsters came out of the woodwork. One of them lived at 318 East 108th Street an address that can later be linked to Louis Carbonetti Sr. Harold's best friend.

Harold dropped out of high school in 1923, when he was 15 and became a burglar. He was arrested and sentenced to a term of probation in New York City Children's Court. While on probation he became employed by Costello.

CARBONETTI & CARBO & MURDER INC: Harold's connection to Frank Costello and the mobs corrupt Tammany Hall politicians and fixers was through his best friend Louis J. Carbonetti Sr. Wayne Barrett identified Carbonetti as a "cut man" for the Italian boxer Victor Dellicurti (b.1918 d.1999). Victor and Louis grew up together in East Harlem. In 1936 *The New York Times* reported, "A gunman, deserted by his companion after robbing the Fox Clothing Store at 2099 Second Avenue attempted to kidnap a policeman who stood in his way, and failing in this, engaged in a gun battle with three others who came on the scene. Although wounded he escaped. More than a dozen shots were exchanged in the encounter. One bullet struck Victor Dellicurti, 18 years old of 318 East 108th Street¹³⁹ who was standing near his home when the firing began." Louis J. Carbonetti Sr. lived in then owned a nearby property at 325 East 108th Street. Dellicurti fought his first professional match in 1937. Evidence suggests Carbonetti had a financial interest in Dellicurti.

I spoke with Dellicurti's son in November 2007. He said that to his knowledge Louis Carbonetti was never a "cut man" for his dad and that he wouldn't know if he "owned a piece" of his father. "Louis Carbonetti and my dad were friends I guess you would call them friends. They grew up together on 108th Street in Harlem." Dellicurti told me that Whitey Bimstein was his father's cut man and trainer. Bimstein's partner, Ray Arcel, took on Frankie Carbo "the underworld commissioner of boxing" and received a concussion for his efforts. If Louis Carbonetti owned a piece of Dellicurti he had to have known John Paul "Frankie" Carbo, who fixed many of the boxing matches Dellicurti fought in. Frank Carbo owned a piece of Jake "Raging Bull" LaMotta. In June 1942 Jake LaMotta defeated Dellicurti. In September 1942 a rematch was scheduled but Dellicurti withdrew at the last minute and was replaced by Sugar Ray Robinson. Dellicurti's next major fight was in No-

vember 1942 with undefeated Sugar Ray Robinson. Dellicurti lost. *The New York Times* reported he was about to be drafted, but by November 1943 he was fighting again and would soon be defeated by LaMotta for a second time. In April 1945 LaMotta defeated Dellicurti for a third time. LaMotta testified before the Kefauver Committee that was examining Organized Crime's control of Professional Boxing. He stated that he took at least one "dive" at the behest of the mob. Dellicurti wasn't called to testify but being part of this milieu he had to have done the same. Dellicurti's son said he never heard of Frankie Carbo but "It's possible my father knew Carbo but I don't know if he did." Since Carbonetti was in the fight game when Carbo was calling the shots, in all likelihood he must have had dealings with Carbo.



In 1942 Frankie Carbo (left) and Benjamin "Bugsy" Siegel were put on trial in Los Angeles for the murder of Harry Greenberg. Greenberg had threatened to expose the workings of Brooklyn's Murder Incorporated, a highly organized underworld gang that operated in the 1930's and allegedly came to an end in 1940 when District Attorney William O'Dwyer successfully prosecuted some of its leaders. Despite eyewitness testimony from bystanders and incriminating testimony from co-conspirator Al Tannenbaum Carbo and Siegel were not convicted.¹⁴⁰ An effort to retry Carbo failed when District Attorney (soon to be *Mafia Mayor*) William O'Dwyer ruled that Tannenbaum would not be permitted to travel to Los Angeles to testify against Carbo.¹⁴¹ The California Commission on Organized Crime reported that Bugsy, who was shot to death in Beverly Hills on June 20,

1947, was “a Costello associate at the time of his death, the West Coast representative of *The Combination* and Murder Inc.” In January 1953 Carbo was arrested for fixing boxing matches. Judge Louis J. Capozzoli set bail at \$5,000, which Frankie promptly supplied.

Louis Carbonetti and Carbo were also associates of Jimmy White, aka Samuel Crosner, who managed Dellicurti. Wayne Barrett reported White had a record for murder, larceny and white slavery, did a long stretch of prison time with two escapes to his credit. Barrett believed this information was derived from the Kefauver Hearings. In July 1958 *The New York Times* reported, “Jimmy White, a matchmaker in professional boxing bouts, and reportedly a front man for Frankie Carbo, known as the underworld’s commissioner of boxing, was indicted here yesterday. He was accused of managing a fight without a license and with conspiring with Herman “Hymie the Mink” Wallman to fix the award of a fight last March.” White beat the rap. The following is from *Recommendation For Discharge* in the *People of the State of New York v. Jimmy White*.¹⁴² “Evidence: On March 21, 1958, a professional boxing match was fought between Isaac Logart and Virgil Akins in the Madison Square Garden, New York County. Edward Mafuz was the licensed manager of Isaac Logart. Bernard Glickman was manager of Virgil Akins. The defendant [Jimmy White] was not licensed as a manager. Court authorized intercepted telephone conversations indicate that [Jimmy White] negotiated with Dominick Mordini, alias Billie Brown, matchmaker of the Madison Square Garden, to arrange this particular match. Billie Brown states that he asked the defendant to use his influence on Mafuz to arrange this bout.”

Bernard Glickman *and* Frankie Carbo managed Virgil Akins. Edward Mafuz *and* Jimmy White managed Isaac Logart.¹⁴³ Frankie Carbo and Jimmy White were tight. The fix was in. In 1958, after Virgil Akins scored an upset victory that was

popular with the smart money, New York District Attorney Frank S. Hogan called Glickman before a grand jury. In 1960 he appeared before Senator Estes Kefauver's anti-trust and monopoly subcommittee where he was asked about financial and personal relationships with Accardo, Frankie Carbo and others. Bernard Glickman was a businessman and fight manager whose close friendship with Chicago mob boss Anthony "Big Tuna" Accardo and subsequent falling out with other mobsters led to a federal investigation of the boxing industry in 1966. Witnesses called in that investigation included Gus Zapas, who was close to James Riddle Hoffa and Gus Alex, from the Al Capone days who now reputedly controlled gambling in the Loop.¹⁴⁴ Another witness was Harry L. Markson, the director of boxing at Madison Square Garden. Markson said he did not know why the jury had summoned him and that he knew nothing about Glickman's affiliations.

There were other boxing notables in on fixing this fight. James Norris paid Frankie Carbo about fifteen thousand dollars and the Virgil Akins / Isaac Logan welterweight companionship match was scheduled. James Norris was the financier who controlled the promotional organization known as the International Boxing Club (IBC). Billie Brown was chief matchmaker for the IBC that had a stranglehold on championship promotions. Norris associated with gangsters. He was investigated by a Senate committee, and in 1959, when the courts ordered his organization dissolved; the Garden took control of boxing in its building and made Harry Markson the director. Norris had made Harry Markson director of boxing in 1948. In 1949, Markson became the general manager of boxing. The *Recommendation For Discharge* in the *People of the State of New York v. Jimmy White* states: "Harry Markson, general manager of boxing promotion in the Madison Square Garden, states that [Jimmy White] spoke to him, and suggested that if he wanted to keep the Logart-Akins bout in New York City, he

should contact Mafuz, the licensed manager of Logart. Markson then telephoned Mafuz and after negotiations, the match was held in Madison Square Garden.

“Prior Criminal Record: [Jimmy White] is 54 years of age and was convicted on February 16, 1937, in the Bronx, New York, of keeping a place for gambling, Section 973 of the Penal Law, and was sentenced to 30 days in the Workhouse; sentence suspended.

“Recommendation: The evidence, which produced this indictment, grew out of an intensive investigation into criminal activities in the area of underworld control of professional boxing. The key to this control was the discovery of who dictated the actual making of boxing matches. As noted above, [Jimmy White], an unlicensed manager of fighters is charged with having arranged the principal, professional boxing match set forth in the indictment. Aside from the wire-tapping evidence, whose introduction at the trial is precluded by federal law making such introduction a federal crime, the People's evidence to support this indictment consists essentially of the tainted and weak testimony of Billie Brown, an accomplice of the defendant. The evidence, therefore, on which the indictment is predicated and without which a prima facie case cannot be made out, depends on evidence obtained from court-ordered interception of telephone calls. The People cannot convict the defendant herein without the introduction into evidence of these wiretapped conversations. This wire-tapped evidence is needed legally to substantiate the testimony of Billie Brown, a participant in this corrupt arrangement. The introduction of this evidence would, however, constitute the commission of a federal crime. The testimony of Harry Markson, without the support of the wiretapped conversations, could not conceivably make out a prima facie case and consequently could not establish the guilt of the defendant beyond a

reasonable doubt. I, therefore, respectfully recommend that the instant indictment be dismissed.”

There you have it – Harold Giuliani closet associate, Louis Carbonetti connected to Jimmy White who is connected to Harry Glickman who is connected to mob boss Anthony “Big Tuna” Accardo who was connected to Al Capone, the world’s most infamous Mafioso. Harold had to be a player. A thermostatic copy in the Jimmy White case file revealed that D.A. Frank Hogan believed White conspired with Carbo front man Herman “Hymie the Mink” Wallman in a bribery scheme involving the Logan / Akins fight.

Dellicurti’s son claimed he never heard of Jimmy White even though White is listed in numerous boxing websites as Dellicurti’s manager.¹⁴⁵ After Dellicurti retired from boxing Carbonetti used his influence with Tammany Hall to get Dellicurti a job with the city, “My father worked for the City of New York after he retired from the ring. He worked with the highways. Paving and asphalt and he was later a mason with them. Most fighters in them days, people took care of them, you know, I am only assuming that. My dad fought Sugar Ray Robinson three times. He went thirty rounds with him. He didn’t play ball with the mob so he never got a shot at the championship. He was a great man, and a good fighter. Most people say if he had a little more height - he was 5’8”, 5’9 - he could have been champ but he was there in the era of the middleweights that was probably the most popular division then. Fought a lot of champs...”

Thanks to Frank Costello and Tammany Hall Executive Committee head Carmine DeSapio Louis J. Carbonetti became an East Harlem district leader with a seat on the Tammany Executive Committee. In 1951 a power struggle took place between acting Mafia Mayor Vincent R. Impellitteri and Carmine DeSapio for leadership of the Democratic Party in New York City. A split occurred after DeSapio’s influence resulted in

the nomination of Supreme Court Justice Ferdinand Pecora for mayor on the Democratic line rather than Impellitteri. Pecora was an unknown commodity who had a sterling record that included a Congressional investigation of the cause of the 1929 stock market implosion. There was no doubt that he was corrupt, but to what degree remained a mystery. Costello wanted to be sure that another New York City Mayor like Fiorello LaGuardia would not be elected to office. LaGuardia had seized Costello's slot machines throughout the city and put them on a barge then dumped them in the ocean.

According to Mafia canary Joe Valachi Impellitteri was the candidate of Frank Costello and Thomas Luchese while Vito Genovese supported Pecora. Costello and Genovese were rivals. In July 1951 Louis J. Carbonetti Sr. who supported the Genovese / DeSapio / Pecora faction, ran against Joseph Cioffi, who claimed to be an independent but was a pawn of DeSapio. Carbonetti defeated Cioffi in all nineteen-election districts of the Sixteenth Assembly District by a 4 to 1 margin. Louis J. Carbonetti had succeeded General Sessions Judge Francis X. Mancuso, a close associate of Frank Costello who was ousted by DeSapio after he after he defected to the Impellitteri camp. Mancuso told the Kefauver Committee that he had known Frank Costello for thirty-five years and that he knew numerous Organized Crime figures.¹⁴⁶ In February 1933 Mancuso attempted to wrest the Democratic leadership in the northern half of the 18th Assembly District from H. Warren Hubbard. Frank Ricca, who later represented Harold Giuliani, would try to do the same in 1939.

On June 20, 1951 *The New York Times* described Louis J. Carbonetti Sr. as "an aide to Supreme Court Justice Thomas Aurelio." On August 23, 1943 the Democratic Party nominated Mafia stooge Thomas Aurelio for Justice of the Supreme Court. At 8:35 the following morning, Aurelio telephoned Frank Costello:

Aurelio: Good morning, Francesco. How are you, and thanks for every thing.

Costello: Congratulations. It went over perfect. When I tell you something's in the bag, you can rest assured. Well, we will have to get together, you, your Mrs. and myself, and have dinner some night soon.

Aurelio: That would be fine, but right now I want to assure you of my loyalty for all you have done. It's undying.¹⁴⁷

By January 1953 the Costello/Luchese faction was determined to aid Mayor Impellitteri in his mayoralty bid. Louis Carbonetti Sr. switched sides and told *The New York Times*, "We are in agreement with Mayor Vincent R. Impellitteri that Carmine DeSapio has lost the faith and confidence of the Democratic voters of our country." On September 30, 1953 Tammany Hall dropped Carbonetti as an East Harlem District Leader. In July 1953 Robert Wagner Sr. stated, "The issues are clear, the lines are drawn and it is time to take off the gloves. The Democratic Party is either the party of FDR, Al Smith, Herbert Lehman, Averill Harriman and Robert F. Wagner Sr. or it is the party of a collection of characters who today used Mayor Vincent R. Impellitteri's office in City Hall as a hideout. Let us look at the list. Frank Sampson, whose name figured in the leading cases in the office of the District Attorney. Sidney Moses and Sammy Kantor, whose last starring roles were before the State Crime Commission. **Louis Carbonetti**, *whose election as a leader raised a stench from Harlem to the Battery...*The only one missing was Harry Brickman, and the Mayor is already paying him out of city funds for services rendered...I say to honest, decent Democrats of New York, to all of the people of New York, 'Rally to the polls on primary day!' Save your party and the city from the **gunman and the gangster...**"

Carmine DeSapio supported Robert Wagner, "The lines are now clearly drawn and pointedly proved. This is a cam-

paign between the decent liberal elements of the Democratic Party and the evil, anti-New Deal forces that are trying to take over control of our party. Mr. Impellitteri is welcome to his Sampsons, his Kantors¹⁴⁸ and his **Carbonettis**.¹⁴⁹

Frank Costello testified before the Kefauver Committee that he knew all four members of the steering committee of the New York County Democratic Committee including, Carmine DeSapio, Sidney Moses and Deputy City Treasurer Harry Brickman. Brickman, an orthodox Sephardic Jew, was a close associate of Meyer Lansky.

Carbonetti Senior's son - Louis J. Carbonetti Jr. (born June 1947) established a printing company and eventually raised three sons. In 1976 Louis J. Carbonetti Jr. and his wife JoAnna Aniello moved from East Harlem to a \$421 4-bedroom duplex on Roosevelt Island. Occupancy was limited to those with incomes ranging from \$7,600 to \$23,000. After *The New York Times* ran an interview with JoAnna for an article about life on Roosevelt Island one letter writer became indignant about how little rent the Carbonetti's were paying, "our money is going for taxes to subsidize their housing." In July 1978 the Carbonetti's filed for bankruptcy declaring \$18,000 in liabilities and \$3,000 in assets. The Carbonetti's divorced and their 13-year-old Anthony V. Carbonetti chose to stay with his father. His two brothers, Louis, now a printer in North Carolina, and Joseph, now the owner of a pub called the Brass Monkey on West 12th Street in Greenwich Village, went to live with their mother in Brooklyn. In 1993 Louis Carbonetti Jr. described as, "a longtime family friend" of Giuliani was the deputy campaign manager for Herman Badillo who was running for comptroller. Badillo was aligned with Giuliani.



In 1994 Giuliani quietly named Louis J. Carbonetti Jr. as the \$90,000-a-year director of his community assistance unit. *The New York Times* reported, "Carbonetti, the owner of a small store on Roosevelt Island, said he had known the Mayor for years since **their fathers were best friends.**"¹⁵⁰ That year the Giuliani Administration created a centrally controlled appointments office for handling resumes. The office was run by Louis' son, Anthony V. Carbonetti, who was a former campaign aide, and was overseen by Randy M. Mastro, the Mayor's chief of staff.¹⁵¹ In February 1994 the *New York Post* revealed that Louis J. Carbonetti Jr. had failed to list \$150,000 in debts from a failed photography business on his financial disclosure forms. He also held two different drivers' licenses, one of them suspended. In May 1994 the IRS filed a \$4,000 lien against him.¹⁵² Louis J. Carbonetti Jr. had to quit city government, but the mayor found him an \$80,000-a-year post running a Brooklyn development organization. In March 1996 Giuliani cancelled two city contracts after it came to light that the Hellenic American Neighborhood Action Committee, which was to monitor single adults on public assistance, had hired Louis Carbonetti Jr. Giuliani said he had asked the city's Department of Investigation to look into the 43-million dollar contracts that were awarded in August 1995. George Sarant, the Hellenic American Neighborhood Action Committee official who had bid for the contracts and was directing the program, was a political supporter of Giuliani who had made significant contributions to his campaign fund. Kathy Giuliani, who is married to a cousin of the Mayor and who worked in the Mayor's Community Assistance Unit was one of Sarant's political acquaintances. The Public Corruption Unit of the FBI looked into the affair. Mastro and Anthony V. Carbonetti were questioned. Nothing came of it since Giuliani had once had strong ties to this unit and its counterparts in the Department of Justice. Sarant was sentenced to 4 months in prison for illegal contributions to the

failed Congressional campaign of Kerry Katsorhis. On January 30, 2004 Manhattan District Attorney Robert M. Morgenthau announced that Louis Carbonetti Jr., the former President of the Fulton Mall Improvement Association, had pleaded guilty to perjury for lying to the New York City Department of Investigation. As a result of his felony plea, Louis received a sentence of 5 years probation and was required to pay a total \$17,500 in fines. When asked about this scandal during a call in radio program Giuliani responded, "Why don't you seek counseling somewhere Bob? I think you could use some help. I can see the direction we're going in - there are people so upset and so disturbed that they use radios for these sick little attacks on people. I hope you take this in the right spirit, Bob. You should go to a hospital. You should see a psychiatrist."

Giuliani appointed JoAnna Aniello Carbonetti as deputy general manager of the city housing authority, even though a division under her authority came under scrutiny in the 1990's after a spate of flash fires in the stairwells of public housing buildings. Giuliani then appointed her to a lucrative city board position during his last two weeks in office, a deal Mayor Michael R. Bloomberg unraveled after his inauguration. Aniello is now a Deputy Director of HUD. Anthony V. Carbonetti grew up on 116th Street and Second Avenue. He attended La Salle Academy on Second Street in the East Village and was a college dropout (his father went bankrupt and ran out of tuition) and a former bartender. In 1992 Carbonetti contacted Peter Powers to offer his services. A few weeks later Anthony V. Carbonetti was made a deputy director of field operations. He later became Mayor Giuliani's chief of staff. When Giuliani left office Anthony became a consultant at Giuliani and Associates despite the fact he was found to have neglected to list \$11,000 in defaulted loans from his abbreviated student days on his financial disclosure statement. Anthony V., an inveterate gambler, is married to Carol Dorrian, youngest daughter of

Jack Dorrian owner of Dorrian's Red Hand Bar where in 1986 Robert Chambers met Jennifer Levin who he murdered in Central Park. The Carbonetti's live in a two million dollar apartment on East 72nd Street and 5th Avenue in Manhattan.¹⁵³ Carol's brother Michael hired a bouncer at his Bowery bar that murdered Imette St. Guillen, a student at the John Jay College of Criminal Justice. Although the Giuliani Administration pushed for strict gun control legislation Anthony V. was granted a concealed weapons permit. Anthony V. Carbonetti is now Giuliani's presidential campaign manager.¹⁵⁴ This is the baggage that Giuliani comes with – a family of sleaze - and there is no doubt Anthony V. Carbonetti would have been given a prominent position in a Giuliani Administration such as Chief of Staff.



In the 1930's Harold was part of the lower echelons of the mob which consisted of \$50 a week "punks" - the generic rank given to young burglars - toughs, hoodlums, strong-arm men and killers apprentices. On April 2, 1934 Harold was apprehended attempting to collect a debt owed to the mob from a deadbeat milkman in the building shown at the left. Harold Giuliani found out when milkman Harold Hall collected money from his customers and along with an accomplice, waited outside the building for some time for Hall to arrive. It was time for that punk Harold Hall to PAY UP!

On April 3, 1934 Harold Hall gave this Affidavit in the First Division, City Magistrates Court, 5th District. Joseph Starrett is an alias used by Harold Giuliani: "Joseph Starrett (now here) while acting in concert with another not yet arrested in that on said date about 12:05 p.m. while deponent was in the

hallway on the ground floor of 130 East 96th Street, [Manhattan] where deponent had gone to make some collections, this defendant and **the unknown man did come out of the rear of said hallway, the unknown man did put a gun against deponent's stomach and said, 'OK you know what it is'...**and after forcing the deponent in back of the stairs the unknown man did take, steal and carry away from the person of deponent the aforementioned sum of money. That thereafter this defendant and the unknown man did order deponent to take down his pants and when deponent refused to do so **the defendant did pull the deponent's pants down** and did also tie up deponent with some cord and while he was doing so Officer Schmitt, 23rd Pct. appeared and apprehended this defendant who was still in the act of tying up the deponent. Further the unknown man got away through the cellar stairs taking with him the said sum of money. Wherefore deponent asks that the defendant be dealt with according to law. Harold Hall. Sworn to before me this 3rd day of April. Lindau, Magistrate."

On that same day the D.A.'s office received a "Prisoner's Criminal Record" that indicated Joseph Starrett had no priors. On April 5, 1934 Joseph Starret was arraigned on armed robbery and assault charges in the Magistrate's Court for the City of New York and ordered held on \$5000 bail by Magistrate Alfred Lindau. Before going before Magistrate Lindau, "Joseph Starret" signed a sworn statement in which he lied about his age and address, claiming he was a 24-year-old electrician who lived at 106 East 84th Street. When asked to identify himself, he again lied and told the court that his name was Joseph Starrett. Joseph Starrett pleaded not guilty. That very same day Valentine Spielmann of 351 East 60th Street in Manhattan put up the \$5000 needed to spring Joseph Starrett by offering his house and lot as collateral. Spielmann owned the property free and clear, except for a \$9,000 mortgage.¹⁵⁵

Bail was posted before Louis B. Brodsky, one of the few judges with no mob connections, and Starrett was sprung. At this time F. J. Ricca of 161 East 121st Street represented Starrett. On May 14, 1939 *The New York Times* reported, "Another Tammany leadership fight was assured when Frank J. Ricca announced that he would oppose H. Warren Hubbard for leader of the Eighteenth Assembly District, North. Mr. Ricca, a lawyer, has opened headquarters at the Square Deal Democratic Club, 170 East 116th Street."

Who was Valentine Spielmann? Spielmann bailed Harold out under his alias. He didn't know whom he was springing and did not care. Spielmann's mysterious death and other evidence suggests he was fronting for the mob. On December 31, 1960 *The New York Times* reported, "*Two Die In Eastside Blaze*: A fire at 361 East 60th Street killed a father and a son early this morning. The dead in the East Side fire which swept the second floor of the five story building were identified as Valentine Spielmann, 85 years old, and his son, Valentine Jr, 41. They operated a tavern on the first floor of the building, which is on the corner of First Avenue."¹⁵⁶ Spielmann was a wealthy man until the Depression. On September 11, 1924 Spielmann of 361 East 60th Street was one of the property owners who pledged to contribute money for the construction of a First Avenue Subway Line. Spielmann was willing to ante up \$112,000. On October 31, 1935 the Greenwich Savings Bank foreclosed on a property owned by Spielmann at 232 East 95th Street. In 1945 Valentine Spielmann Inc purchased 1103 1st Avenue at the corner of East 60th Street in Manhattan from Angeline Lupo.¹⁵⁷

The name *Lupo* can be linked to the mafia and to Italian Harlem, although there is no record of *Angeline* Lupo's connection to it nor can I find any traces on Angeline Lupo. Mafia legend Ignazio Lupo arrived in New York in 1898 fleeing arrest for murder in Palermo, Sicily. Lupo opened a store on East

72nd Street in Manhattan. In 1901 he opened a saloon at 8 Prince Street. In 1902 Lupo sold the saloon to Giuseppe Romano, a barber from First Avenue who was later arrested with Lupo in a counterfeiting scheme. Lupo ran “The Murder Stables” at 335 East 108th Street in East Harlem from 1909 to 1915. It was there that he knocked off numerous rivals. Lupo died in 1947.¹⁵⁸ Lupo’s son, Rocco, was also involved in organized crime.

Spielmann’s mother was Elizabeth Susan and his sister was Sophie T. Spielmann (b. April 1917). On May 22, 2007 it was reported that a Federal Tax Lien was issued against Sophie Spielmann, 107 Mooney Street, Olyphant, Pennsylvania for \$201,204.05. Sophie had also lived in New York City, Clark’s Summit, Pennsylvania, Beverly Hills, California and Vestal, New York. Her old phone number is listed under W. Spielmann, Lackawaxen or Masthope, Pennsylvania. Sophie Spielmann died on November 19, 2006. The question, “Who was Valentine Spielmann?” still remains unsolved. On April 12, 1934 in the case of *People v Joseph Starrett* Harold was charged with four felonies, “The Grand Jury of the County of New York, by this indictment, accuse the said Defendant, [Joseph Starret] of the Crime of ROBBERY IN THE FIRST DEGREE, committed as follows. The said Defendant in the County of New York aforesaid, on April 2, in the year of our Lord 1934, in the day time of the said day, with force and arms in and upon one Harold Hall, in the peace of the said People then and there being, feloniously did make an assault and the sum of \$128.82 in money lawful money of the United States of America and of the value of \$128.82 of the goods, chattels and personal property of a certain corporation called Borden’s Farm Products Company Inc. from the person of the said Harold Hall, then and there violently and feloniously did rob, steal, take and carry away, the said defendant **being then and there armed with a dangerous weapon, to wit, with a certain**

pistol then and there charged and loaded with gunpowder and one metal bullet, the said defendant being then and there aided by an accomplice actually present, to wit, by a certain person to the Grand Jury aforesaid unknown against the form of the statute in such case made and provided, and against the Peace of the People of the State of New York and their dignity.

“And the Grand Jury aforesaid, by this indictment, further accuse the said Defendant of the Crime of Assault In The First Degree committed as follows: The said Defendant in the County of New York aforesaid, on the day and the year aforesaid, in an upon the said *Harold Hall* of the said *Harold Hall* in the peace of the said People then and there being feloniously did willfully and wrongfully make an assault and to at and against the said *Harold Hall* **a certain pistol then and there loaded and charged with gunpowder and one metal bullet which said pistol the said defendant in his right hand** then and there had and held, the same being a deadly and dangerous weapon and an instrument and thing likely to produce grievous bodily harm, feloniously did then and there willfully and wrongfully point aim and present, with intent the same then and there feloniously, willfully and wrongfully to shoot off and discharge with intent, *him*, the said *Harold Hall*, thereby then and there feloniously willfully and wrongfully to kill, and with the intent then and there to commit a felony...William Copeland Dodge.”

Joseph Starrett was also charged with grand larceny in the second degree, and criminally receiving stolen property. Why did the indictment say that Joseph Starrett had the gun when Hall’s initial report said that his accomplice brandished it? Hall must have testified before the Grand Jury whose minutes are kept secret. Was it there that he told the truth rather than in his public statements? Or did the Grand Jury indict another ham sandwich? Here is a transcript of Harold Hall’s April 19, 1934 interrogation by Louis Capozzoli:

THE FRUIT OF A POISONOUS TREE

Q. On the 2nd day of April you were in the vicinity of 130 East 94th Street?

A. I was.

Q. That was about 5 minutes after 12:00 you went into the hallway of the ground floor?

A. That is right.

Q. You were making collections?

A. I was making collections.

Q. From your customers.

A. Yes.

Q. What happened there?

A. Well as I started in there were these two fellows coming in, at least there were two fellows in the hallway, and as I started up the stairways I saw the gun stare me in the face.

Q. What kind of house is this?

A. Ten-family house.

Q. Is the hallway wide going in?

A. Yes, about four feet.

Q. How was it lighted at the time?

A. Poorly lighted, they got a big light in there.

Q. Where are the lights in the hallway? Was there any lights on at the time?

A. On the first floor.

Q. One flight up?

A. Yes, there was no light on the main floor.

Q. And you were on your way up the stairs?

A. Going up the first floor, and as I went up the first floor a fellow came behind the stairs, leading to the stairs, and the gun staring me from the banister. One was in there, or two were in there. I got about three steps up the first flight, and a gun was pointed at me from around the banister. With that, the fellow says, 'O.K. you know what that is.' He oozed his way on around and got in front of me, and with that a woman came in and she went up to the first floor, and this fellow started a

conversation as each woman came in. When these women came in -- I don't know what intentions they had of doing -- the man with the gun said to me, "Get behind the stairs!" This fellow says to me -- the unknown man -- "Get behind the stairs!" so I went down behind the stairs.

Q. This was the only man you had seen?

A. Yes one man so far. As soon as I ducked down the stairs I noticed there was somebody behind me. When I got behind the stairs this unknown fellow says "O.K. take his money!" see. While the fellow Starret that hesitated that was arrested.

Q. Who was he?

A. Joseph Starrett. When he stepped in, [and] stepped in front of me the unknown man said, "Take the money" and the other fellow, the unknown man, put his hand in my pocket and took the change and the bills. The unknown fellow said, "Pull down your pants!" When I didn't pull them down *both fellows* pulled them down, and Starret tied my hands and started to tie my feet when in broke the officer. One fellow got away through the basement, **the fellow with the gun got away**, and the officer grabbed Starret.

Q. He was still tying up you up, Starret.

A. Yes, he was still tying me up when the officer caught him.

Q. Where did you have this money?

A. In my pants pocket and my coat pocket.

Q. The overcoat?

A. No my work pants.

Q. You had change in the coat pocket?

A. Yes.

Q. And you had all told \$128?

A. Yes.

Q. Was that Monday?

A. Yes.

THE FRUIT OF A POISONOUS TREE

Q. That is a big collection day?

A. Yes, sometimes it is Tuesday according to what route you have. Sometimes I collect \$160 sometimes \$90.

Q. And you said here that the man was putting a gun against your stomach?

A. Yes, that is when they came around the banister.

Q. Was there any conversation when the cop broke in and grabbed him?

A. No. Starret I understood passed a remark---

Q. Not what you understand but right there and then was anything said?

A. No.

Q. Just the cop grabbed him?

A. Yes.

Q. When was the next time you saw this defendant?

A. In the magistrate's court.

Q. There were no questions there, were there? Nobody questioned this defendant?

A. I was down the grand jury.

Q. And you never saw this defendant after the arrest?

A. No.

Q. Only in Magistrates Court?

A. Yes.

Q. About that breaking in, what was your position when the officer broke?

A. Sitting down.

Q. How was this Starret facing?

A. He was facing the street on a sidelike. I was sitting flat on the floor, and he was down like this with his back towards the wall.

Q. What wall?

A. There is a wall.

Q. When he went in why he had his back towards the cop?

A. No, he was sort of sidewise.

Q. The unknown fellow saw the cop first?

A. I don't know whether he saw him first.

Q. And he was crouched down, this Starrett; at the time the cop came in and was still tying you.

A. Yes.

Q. And the cop grabbed him?

A. Yes.

Q. Was there any conversation?

A. No. The cop hollered, "throw them up" something like that. I was too excited. As soon as the cop came in I hopped out and tried to get the other fellow.

Q. How did he get out?

A. Through the front door and out through the front.

Q. You didn't see him get away?

A. Yes. I saw him running down Third Avenue. People that saw him said they saw him going out with his hand under the coat.

Again Hall stated that Starrett was not the man with the gun. What was the remark that Hall understood was passed to the police officer? Did the remark relate to organized crime? Was it a promise that "the boys (the Mafia) would take care of the officer" if the policeman let Harold go? Capozzoli didn't seem as if he wanted to bring organized crime into the picture.

Capozzoli was born in Cosenza, Italy, and was brought to the United States at the age of 6. He grew up on the Lower East Side and graduated from the Fordham University School of Law in 1922. He practiced law until 1929. In 1930 Capozzoli joined the New York District Attorneys Office. One of his notable cases involved the theft of 38 cents: "Severe Sing-Sing sentences were imposed by Judge Allen in General Sessions yesterday on three Negro hold-up men, who threatened a Yorkville baker with pistols in the early morning of last August 10, 1934 at Fifth Avenue and 135th Street when they robbed

him of 38 cents. Albert Jackson, 23 years old, was sentenced to a thirty-year term as a second offender after the prosecutor, Louis J. Capozzoli, had brought out [an] old penny that had been found in Jackson's pocket...of such old coinage that it readily was identified on the witness stand by the complainant..."¹⁵⁹ In 1939 Capozzoli was elected to the State Assembly. In 1940 and 1942 he was elected to the House of Representatives. During his disbarment hearing former Magistrate Thomas A. Aurelio claimed he was disturbed over a report that Municipal Court Justice Joseph Raimo might be nominated to the Supreme Court to make a place for Representative Louis J. Capozzoli whose district might be eliminated in the coming Congressional Reapportionment. Aurelio wanted Ramio's Supreme Court nomination. However Mayor LaGuardia testified that Aurelio wanted him to appoint Capozzoli Magistrate to clear the way for his appointment to the Supreme Court, "I told him I wouldn't do it. I told him that if Capozzoli was a combination of John Marshall and Holmes and Cardozo I wouldn't appoint him after such a request," said the Mayor.¹⁶⁰

In private practice in 1946 Capozzoli represented Little Augie Pisano, an organized crime figure. *The New York Times* reported, "In Week-End Court his lawyer former Representative Louis J. Capozzoli, told Magistrate Henri Schwob: 'This defendant is no more a person without visible means of support than I am, and I don't think anybody would be immune from arrest if you hold this is a case.' Mr. Capozzoli earlier in the week was designated by Tammany for State Senator from the Lower East Side district after the incumbent, Senator Elmer F. Quinn, had been turned down for re-nomination. Jimmy Kelly, nightclub owner in that section and whose real name is John DiSalvio, is said to be an uncle of Augie Pisano."¹⁶¹ In 1946 Capozzoli was elected to the City Court bench but resigned in 1950 and was elected to the old Court of General Sessions. After the Senate Crime Investigating Committee implied that Frank Costello was

a judge maker and that many New York City judges were Costello Judges, *The New York Times* examined the backgrounds of the Tammany judicial nominees. No link was found between Costello and Capozzoli.¹⁶² The high point of Capozzoli's career was when he arraigned George Metesky, the "Mad Bomber" of New York. In 1966 Governor Nelson Rockefeller appointed Capozzoli to the Appellate Division of State Supreme Court.

When he handled Starrett's case Capozzoli's boss was District Attorney William Copeland Dodge, the Harlem policy mob's own handpicked DA!¹⁶³ In the spring of 1935, District Attorney Dodge had been so unwilling to look into the hugely lucrative uptown numbers games that his grand jury had mutinied and demanded the appointment of a special prosecutor - Thomas E. Dewey.¹⁶⁴ Later Democratic Governor Herbert H. Lehman replaced Dodge with Dewey. Dewey said that Tammany Hall Leader James J. Hines wanted Dodge DA because Dodge was "stupid, respectable and my man." Hines was indicted for his part in the Harlem policy racket. In his first trial, before Judge Ferdinand Pecora, Dewey introduced evidence to show that that the aforementioned quote belonged to the district leader. Dewey named Dodge as having been "intimidated, influenced or bribed" by Hines to further the interests of the Arthur (Dutch Schultz) Flegenheimer policy racket. Pecora declared a mistrial after Dewey had prejudiced the case of the defense by one line of questioning.¹⁶⁵ Hines was convicted at his second trial and sentenced to two to four years in prison by Judge Pecora.

On May 9, 1934 before Judge Owen Bohan in the Court of General Sessions, Giuliani switched his plea to guilty and copped to one count of Robbery in the Third Degree. A presentencing hearing was held on May 23, 1934. This is the complete transcript:

Court of General Sessions

County of New York, Part I

Indictment No. 199,985

THE PEOPLE OF THE STATE OF NEW YORK

-Against-

HAROLD GIULIANO Indicted as JOSEPH STARRETT

Before: HON. OWEN BOHAN

New York May 23, 1934.

The defendant is indicted for robbery in the first degree and assault in the first degree. Indictment filed April 12, 1934.

Appearances: For the People: ASSISTANT DISTRICT ATTORNEYS SIMPSON AND CAPOZZOLI.

For Defendant: Robert J. Fitzsimmons, Esq.

The Defendant is duly arraigned for sentence before Hon. Owen Bohan, Judge.

THE CLERK: Harold Giuliano indicted as Joseph Starrett, what have you now to say why judgment should not be pronounced against you according to law.

EDWARD SCHMITT, Shield N. 4190, an Officer of the 23rd Precinct, takes the stand and states as follows.

BY THE COURT:

Q. What are the facts in this case?

A. I was tipped off by a citizen that a couple of fellows were hanging around 130 East 96th Street for about a half hour and he finally saw them going into the hallway. After they went in a milkman went in, and the citizen suspected there was something wrong and he called me and told me about it. I went around to the hallway and saw this defendant Joseph Starrett bending down over the milkman who was tied up hands and feet. The other man who was with Starrett got away by going through the cellar. The second man had a gun. The defendant here did not have a gun.

(The complaining witness is called and does not respond)

Q. Did the complaining witness swear that this man had a gun in Magistrates Court?

A. The defendant himself said the other man had the gun.

Q. What did the complainant say?

A. The complainant said the other man had the gun. This milkman tried to change his statement, after he was visited at about four o'clock that morning by several people who threatened him. Then he said he thought this fellow [Giuliani] ought to get a break.

MR. FITZSIMMONS: I believe this is the case that warrants extreme clemency, for the reason that the defendant confessed his guilt. It is the first time he has been in any serious trouble. The other man was the moving spirit. The defendant realizes his mistake. His home life has been of the finest and he comes from a wonderful family.

THE COURT: I am a very sympathetic judge, but I have no sympathy for robbers with guns.

MR. FITZSIMMONS: Of course he should get some punishment to make him realize the seriousness of his act.

THE COURT (Addressing the defendant) Who was the other man who was in this thing with you?

THE OFFICER: He gave a fictitious name and address. He refused to give us the name and address of the other man.

MR. FITZSIMMONS: Joseph Podemo is the name of the man he said.

THE COURT: I will commit this defendant. If he wants to help himself, let him tell us the name of the man who had the gun. I will adjourn this sentence to May 29th.

The boys must have visited Hall on the very night of Joseph Starrett's arrest because the next day he swore Starrett was not the man with the gun. Wayne Barrett reported, "Hall's coerced reversal may have been effective in reducing his assailant's prison time. He was allowed, in light of Hall's altered

statement, to plead to one count of armed robbery in the third degree." But Hall never altered his statement unless he did so before the Grand Jury, which is unlikely. Barrett also reported, "No one named Joseph Podemo was charged in connection with this, or any other, crime between 1929 and 1935."

On May 29, 1934 Harold was sentenced to two to five years in State Prison. Before he went into "the joint" Harold was examined by Dr. Benjamin Apfelberg a seasoned prison psychiatrist, "Psychiatric examination discloses no psychotic symptoms at the present time. He is mildly tense due to anxiety about his predicament but, as a whole, this does not interfere with his co-operation, which is satisfactory and usually frank. There are no abnormalities in his emotional responses, no delusional trends, hallucinations or gross memory disturbances. Psychological analysis indicates that he is not mentally defective. His intellectual attainments are within the average range as shown in his literacy, vocabulary, fund of general information and nature of interests." Harold was a product of East Harlem. Mental illness did not cause Harold to commit crime nor did stupidity. It was growing up in the slums that did it.

Apfelberg: "Practical judgment however is at time inadequate because of the personality factor and not on account of any intellectual difficulties. A study of this individual's makeup reveals that he is a personality deviate of the aggressive, egocentric type. This aggressivity is *pathological in nature* and has shown itself time to time even as far back as his childhood. He is egocentric to an extent where he has failed to consider the feelings and rights of others." Dr. Apfelberg was saying was that Harold was a potentially violent psychopath who lacked a conscious. He continued, "Since the age of 6 or 7 he has had considerable difficulty with his eyesight due to nearsightedness. As a result of this physical handicap, especially because of taunts in his boyhood years, he has developed a sense of

inferiority, which, in recent years, has become accentuated on account of his prolonged idleness and dependence on his parents. He has developed certain blinking and squinting habits on account of his eye handicap." Harold wore very thick glasses and other kids must have made fun of him. He also had a nervous blink that was either due to his eye handicap or due to a nervous disorder although Apfelberg wrote, "Neurological examination is negative." Harold was a classic coke bottle bottom glasses wearing creep.

Dr. Benjamin Apfelberg stated, "His school life was marked by retardation on account of the mischievous and unruly conduct. Due to aggressive traits and due to his excessive idleness, he has been attracted to *haphazard associations* that apparently were the direct precipitating factors in bringing about the present offense." Harold was not dumb, just a hardcore belligerent anti-social thug with a chip on his shoulder a mile wide. Basically a bum who was attracted to associates he met in a reckless manner, not giving enough thought to the consequences of hanging out with gangsters.

Dr. Benjamin Apfelberg: "He is not anxious about his predicament on account of a feeling of guilt. He rationalizes the motives of his offense in a self-pitying way in order to obtain sympathy. He deviates from the average in the manner described but this in no way impairs his legal responsibility. There are some neurotic manifestations at the present time. As a child he was subject to various neurotic habits and difficulties. Physical examination shows no evidence of any serious or acute organic disease. He has a visual defect as described for which he wears glasses... To sum up, the psychiatric and other examinations show the following: no psychosis at the present time; average intelligence; personality deviate of the aggressive egocentric type...From a purely and strictly psychiatric standpoint **without considering the social, environmental and other factors in this case**, the findings indicate that the

social rehabilitation possibilities are favorable for eventual readjustment but are rather dubious as to the prognosis in regard to improvement in personality.”¹⁶⁶

Without considering the fact that the Italian sub-culture he will re-enter after he gets out of prison revolves around the Mafia, without considering that he will go back to East Harlem, and without considering other factors such as his affiliation with organized crime, Harold can be rehabilitated. Apfelberg had plenty of experience in evaluating psychopaths and reported that, "of 57,000 lawbreakers examined over 25 years, a scant 5% had ordinary mental illnesses rated as treatable. Most of the rest were, in some degree, what psychiatrists call psychopaths or sociopaths individuals whose consciences are either lacking or inert, and who choose to do what they want when they want. These are notoriously the patients with whom psychiatry has the least success. And in many courts, psychopathy is excluded from the catalogue of mental illnesses that can justify an insanity plea.”¹⁶⁷

Harold did a 2-year "bid" in Sing-Sing and again never gave anyone up to the police. Harold Giuliani's early life bore an eerie similarity to that of Mafia turncoat Sammy "The Bull" Gravano who was asked about his teenage years:

A. I worked on and off, I hung out.

Q. Did you commit any crimes during this period?

A. Yes, armed robbery, burglary.

Q. Did you commit crimes with other people?

A. Yes.

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After he was released from the joint, Harold, now passing himself off as an amateur boxer, continued to work for the mob. Giuliani told *ABC-TV World News*, “He was a very, very strong person. He was a boxer in the early part of his life. [He taught me] steadfastness, courage, the ability to handle different things and remain calm when you are going through it...His job was to toughen me up and not be afraid...A big part of his upbringing was you got to always be honest.” There is no record of Harold fighting in any amateur or professional bouts. How could there be? Harold was practically blind without his glasses. Giuliani was then asked if his combative personality came from his father? “Yeah, probably – probably came from growing up in Brooklyn for the first seven years of my life.”

In 2007 Giuliani said this about his father’s arrest and incarceration to *ABC News*,¹⁶⁸ “I knew parts of it, but it was always a big secret and very shadowy. I knew he had gotten into trouble as a young man, but I never knew exactly what it was [until Barrett broke the story in 2000]...He always told me he would tell me the details of it and he never did. And every time I pressed him on it he would go off and change the subject. I just always assumed it was just some kind of teenage problem he had. [When my uncle Rudy told me] you know the first thing that went through my head was that I felt sorry he didn’t tell me. I would have told him whatever problems you had in your life you obviously wanted to straighten them out through me. I know the lessons he taught me, and the things he tried to do for me, and I can see now what he was trying to accomplish. He was trying in his own *imperfect* way to make up for what he had done wrong. As I found out more about what his history was and what he had done having been his son, the way he brought me up, I have this tremendous respect for

him.” What was the “perfect” way to make up for the wrong Harold had had done in life? Harold Giuliani was a career criminal, a Mafia associate and a man who helped corrupt professional sports figures, many of whom were idolized by American youth.

While he was still working for Louie Carbonetti and Frankie Costello in East Harlem Harold Giuliani began to court Helen D'Avanzo. They met via Helen D'Avanzo's brother William D'Avanzo who had married Harold's sister Olga Giuliani. Olga D'Avanzo gave birth to Joan Ellen D'Avanzo who later in life became a heroin addict. Olga overdosed on September 28, 1973. As fate



would have it it was that year that Giuliani was appointed Chief of the Narcotics Unit at the United States Attorney's office. Giuliani went after some big time heroin dealers but mostly focused on street dealers on the Lower East Side of Manhattan – hitting these minor players with federal charges that carried long sentences. If Joan Ellen had been dealing to support her addiction her cousin Giuliani would have put her away rather than sending her to a drug treatment program.

Helen and Harold were married in 1936 while Harold was on parole for attempting to collect the milkman's gambling debt. They eventually moved to a small private two-story house at 419 Hawthorne Street in East Flatbush, Brooklyn, New York owned by Helen's sister Adelina D'Avanzo. Helen D'Avanzo was a loyal tough Mafia wife. She wore combat boots. She rode shotgun for Good Humor. There was no way she could have been unaware of the criminal activities of her immediate family.



Four of her brothers joined the police force in the mid 1930's. Hey, not only was her husband mobbed up with Frank Costello, Helen was connected to the mob through her brother, Leo D'Avanzo and other relatives who were soldiers or capos with connections to the Gambino organized crime family. In fact, in 2001 Leo's grandson, Lewis's son Lee D'Avanzo and Joseph Gambino¹⁶⁹ were arrested with Gambino soldier Salvatore "Fat Sal" Mangiavillano in a Mafia conspiracy case. It was in this Mafia milieu Helen gave birth to her only son Rudolph William Louis Giuliani III 8 years after first consummating her marriage to Harold. Giuliani was born on May 28, 1944, after one "miscarriage." The possibility exists that Helen had an illegal abortion. It took 8 years for her to become pregnant. How did she avoid it? The only acceptable birth control method for Catholics at this time was the *rhythm method*, notoriously unreliable. Did she want to postpone bringing life into the world until her family was in the right financial condition? Was her miscarriage an illegal abortion or self-induced abortion and did this help establish Giuliani's view on abortion? Somewhere along the line Giuliani concluded, "We should allow the mother ultimately to make those kinds of decisions." Another possibility is that Giuliani viewed abortion as a way to diminish the African-American underclass: "The simple fact is that whether I am the Mayor or [Democrat David Dinkins] the Mayor, it's going to be the same for women who want an abortion. I'm going to fund abortion, to *make certain that poor women are not deprived of an abortion*, and I'm going to oppose making abortion illegal. That's a non-issue."¹⁷⁰

THE EPPOLITO / D'AVANZO CONNECTION: In 1948 Rudy's Mafia uncle Leo D'Avanzo opened *Vincent's*, Leo's East Flatbush cheap neighborhood bar on the corner of Kingston and Rutland Road in Brooklyn - a front for a bookie joint. Post-war East Flatbush was the sports and horse betting

capitol of New York State. There was also a great deal of “numbers” or “policy” activity. Many New Yorkers ran up debts with their bookies then turned to shylocks to borrow the money to pay the interest payments. If they failed to make a payment they would run into Harold Giuliani – who prospered by collecting these gambling debts and illegal usurious interest payments. Harold had experience in this area when he worked for Frank Costello and was happy to help his brother-in-law out.



Vincent's was named *Vincent's* because brother Vincent D'Avanzo¹⁷¹ was the corrupt cop and Mafia mole within NYPD who fronted for Leo in order to obtain a liquor license for the loan sharking and gambling operation. Leo D'Avanzo did not want to get

fingerprinted by the State Liquor Authority even though he had no felony convictions. On August 17, 1951, at age 38, Leo D'Avanzo was arraigned in Brooklyn Criminal Court on felony "criminal receiving" charges, but the case was dismissed. In December 1952 Leo was charged with violating sections 370 and 371 of the General Business Law.¹⁷² Seven years later, in April 1958, D'Avanzo appeared in Brooklyn Gambler's Court, arraigned on bets and bookmaking charges; he put up a \$500 bond and was discharged by Judge Anthony Livoti.

In retrospect it is apparent that Judge Livoti like so many of his contemporaries was *on the pad* and made decisions that favored Organized Crime. For example after the top Commission Mafia members (including Carlo Gambino, Santo Trafficante and Carlos Marcello) held a meeting at La Stella restaurant in Queens in 1966 they were called before a Grand Jury (with the exception of Gambino who had a heart ailment). After four of them refused to answer questions despite having

been given immunity from prosecution, they were indicted for contempt. Justice Livoti dismissed the indictments on the technical grounds that the defendants should have been brought before a Supreme Court justice and directed by him to answer questions. The Appellate Division reversed his ruling. On April 10, 1959 *The New York Times* reported, "A charge against Giovanni Scalisi, arrested last weekend for possession of a pistol while en route from Mexico City to Rome, was dismissed yesterday, in Ridgewood Felony Court, Queens. Judge Anthony Livoti ruled that it had not been proven Mr. Scalisi had possession of the gun. Mr. Scalisi claimed the weapon when it was found in the purse of Joanna DeSantis Scalisi, his niece and traveling companion, in customs at New York International Airport, Idlewild, Queens. Judge Livoti reduced a similar charge against Miss Scalisi to a misdemeanor and put it over for a later trial in Special Sessions Court. Mr. Scalisi's brother Frank, reportedly a friend of Charles "Lucky" Luciano, was murdered two years ago."¹⁷³ You get the idea – Mafioso got *walks*. Scalisi admitted that the gun was his yet the charges were dismissed. Could this have anything to do with the fact that he controlled the Longshoremens's Union? Interestingly enough in the early 1960's, Judge Livoti would award Rudy a \$100 Scholarship to college.

Vincent D'Avanzo's brother Leo had taught him that old Brooklyn adage, "It is better to take bets than to place them" and Vincent also took bets on sports events, horse races etc. On October 15, 1954, Vincent D'Avanzo was arraigned in Gambler's Court on minor charges related to the Alcohol Beverage Control Act, but was discharged. Gambler's Court was run by the mob. For example in 1949 not a single bookmaker was sent to jail from Gambler's Court in Brooklyn. One had been arrested fifty times in twelve years but never spent a day in jail. It was not until 1960 that Gambler's Court was discontinued and all cases transferred to Magistrates Court.

Fingerprinting became mandatory for persons arrested for policy or bookmaking violations. On February 14, 1961, Vincent was arrested with 12 other defendants for a violation of the New York City administrative code that appeared to be related to gambling; given a choice in Magistrate's Court between one day in jail and a \$2 fine, Vincent paid the fine.

Wayne Barrett discovered that Leo D'Avanzo's overboss at Vincent's Bar and Grill was Jimmy Dano, "a made man." Dano worked for the powerful numbers-racket operator and narcotics distributor James "Jimmy the Clam" Eppolito. In 1958 "Jimmie Eppolito" was held as a material witness in the death of John Robilotto, a member of the Albert Anastasia family who was shot four times at close range in the head in East Flatbush shortly after Albert was whacked in his barber chair. Robilotto's pockets had been turned out, his wallet was gone and the labels had been cut from his clothing. Frank Costello had John Robilotto hit. In 1946 Robilotto was fined \$100 for running a gambling house in Connecticut. He was arrested twice by the FBI, questioned and released. On October 4, 1951 three killers working under John Robilotto killed William Moretti, Frank Costello's most trusted lieutenant. Moretti was the head of the Mafia's gambling operation in Bergen and Passaic Counties New Jersey. In 1952 Robilotto had been indicted for the Moretti murder but not convicted.

Leo D'Avanzo's overboss was "Jimmy the Clam" who met a violent gangland death. On October 3, 1979 *The New York Times* reported that, "A Brooklyn man and his son, both said to be members of the organized crime family of the late Carlo Gambino were shot to death late Monday night in the front seat of a car...The dead men were identified as James Eppolito, 64 years old, and James A. Eppolito, 33." After a shootout with a housing policeman near the scene of the crime, police arrested a wounded Anthony Frank Gaggi. In March 1984 Giuliani announced the indictment of Paul Castellano,

Anthony Frank Gaggi, Roy DeMeo for the murder of James Eppolito Jr. and James "Jimmy the Clam" Eppolito. Gaggi had been acquitted of murder in the Eppolito case in 1980, but the new indictment said he had bribed a juror. Giuliani prosecuted the killer of his uncle Leo's boss.

But there is more. In November 1984 Detective Louis Eppolito, who joined the NYPD in 1969, was charged with copying the reports from the Police Intelligence Division in December 1968 and giving them to Rosario Gambino, who at that time was under investigation for heroin trafficking. Gambino was a nephew of the late Carlo Gambino. Detective Eppolito faced administrative charges of improperly copying the records and divulging their contents "wrongfully." No criminal charges were filed against him.¹⁷⁴ On March 10, 2005 the United States Attorney for the Eastern District of New York unsealed a racketeering conspiracy indictment charging retired New York City Police detective Louis Eppolito with secretly serving as a Mafia associate for years. According to the indictment, in addition to routinely passing confidential law enforcement information to the mob, Louis Eppolito directly participated in, or aided and abetted, eight murders, two attempted murders, one murder conspiracy, several instances of obstruction of justice, drug distribution and money laundering. According to the indictment and a detention letter filed by the government, New York City Police detective Louis Eppolito grew up in a family with strong ties to organized crime. His father, Ralph "Fat the Gangster" Eppolito, was a Gambino soldier, and his uncle, James "Jimmy the Clam" Eppolito, was a Gambino captain.¹⁷⁵

THE D'AVANZO / HARRY GROSS CONNECTION: Harold Giuliani moved up in the ranks and by the early 1950's was a Mafia associate who was not only expected to "do a number"¹⁷⁶ on someone – as the mob was involved in debt collection and extortion – but he was expected to drop a ham-

mer on someone from time to time. Wayne Barrett reported that Harold Giuliani and his brother-in-law Leo D'Avanzo were involved in a shoot out on the streets of Brooklyn in the early 1960's. Giuliani's father Harold was what Marlon Brando termed in *On The Waterfront*, "a meatball." He didn't draw the line at breaking limbs (or one limb when the Mafia was running a sale). But he always stayed under the radar. The difference between Harold and other Mafioso was that Harold was inconsequential enough not to have come to the attention of a police force overwhelmed by Organized Crime.

The mob was getting more and more powerful in post-war America and had infiltrated law enforcement and the judicial system. In 1950 Estes Kefauver began his televised hearings into Organized Crime and its effect on Interstate Commerce. As a result of the headlines the Kefauver Committee generated, a so-called crusading Brooklyn District Attorney arrested the mega-bookie Harry Gross of East Flatbush who controlled Leo D'Avanzo's territory when it came to sports betting. Gross had his headquarters in East Flatbush, in the Dugout Restaurant, near Prospect Park and Ebbitts Field. *Vincent's* was 12 blocks from Ebbitts Field. Gross, whose business was reputed to have averaged \$20,000,000 a year, said he had never operated a horse room that handled less than \$1,500 to \$2,000 a day in wagers. He said this sum was usually doubled on Saturdays, after players had received their weekly paychecks. Among the places he said served as his horse rooms were candy stores, garages, lofts in factory buildings, restaurants, a laundry and a barber shop. Gross said he had paid protection money for his enterprises to major police units - "local division, Brooklyn East Headquarters, super-borough, chief inspector's and police commissioner's squads." The payments were \$200 a month to each of the five units for permission to operate each spot, he added. He listed his additional expenses as graft paid to street patrolmen,

precinct captains, desk lieutenant; and station-house sergeants.¹⁷⁷

After Gross testified against over hundred policemen of various rank, mayoral appointees, New York City *Mafia Mayor* William O'Dwyer had to resign. He would later call Gross' testimony part of a witch-hunt but his testimony resulted in the convictions of 22 policemen and the dismissal or resignation of 240 others. O'Dwyer was quickly appointed Ambassador to Mexico. Before he left office in 1951 O'Dwyer appointed Vincent R. Impellitteri as the acting *Mafia Mayor*. Impellitteri was the candidate of Frank Costello and the Luchese Crime Family. Both *Mafia Mayors* were puppets of Tammany Hall - New York City's Democratic Machine run by Carmine DeSapio. DeSapio, who represented the District that included Greenwich Village and Little Italy, was closely associated with Frank Costello. Gross was sentenced to eight years in prison. In 1959 he was sentenced to one to ten years for beating his wife's 82 year-old grandfather to death. In 1986 Gross was seized in a Los Angeles hotel on charges of trying to sell heroin to an undercover Federal agent. In March 1986 Gross committed suicide by slashing his wrists at his home in Long Beach, California. He left a note saying he had decided to kill himself rather than go back to prison.

In 1951, the same year Impellitteri took office, Harold Giuliani moved to Garden City, Long Island. That would make Rudy about 7 years old when he left Brooklyn. Yet Rudy recounts, "His father, Harold, a Yankees partisan from East Harlem, once dressed young Rudy in Yankee pinstripes and sent him out to play in the Dodger-mad **streets of Brooklyn**. Too young to have any say in the matter, Rudy was set upon by the neighborhood toughs, Dodger fans all. A gang of boys seized him, placed a noose around his neck, and threatened to lynch him."¹⁷⁸ Giuliani is inventing his past – Little Rudy would have been between 5 and 7 when this allegedly happened.

Would Harold do this to a 5 year old or even a 7 year old? Was he that demented? East Flatbush was a Jewish-Italian neighborhood. Jews in Brooklyn didn't relate to lynching and the Italians preferred baseball bats when it came to dealing with those they mildly disliked.

There was no indication that Harold's income improved yet he was living the American dream. Wayne Barrett reported that Rudy's Aunt Adelina D'Avanzo sold 419 Hawthorne Street and used the money to purchase the two-bedroom house; however, the title was in Helen Giuliani's name. *The New York Times* reported, "Mr. Giuliani often harks back to his youth as he delivers his exhortations toward self-reliance. He repeatedly uses his life as **the son of a middle-class tavern owner in the Long Island suburbs** as a model for the down and out of the inner city, with no sense of dissonance in the comparisons. 'I've washed dishes in restaurants,' Mr. Giuliani explained in reference to his **work in his father's taverns** as he said squeegee men should find restaurant jobs."

Harold never owned a tavern either in the suburbs or in Brooklyn (more or less *taverns*) nor did his son ever work in this non-existent tavern as a dishwasher. Who *did* Harold have to beat up or murder to get the dough to leave Brooklyn because one thing is for certain; it did not come from his taverns. On April 19, 1951 in Brooklyn, N.Y., the body of Philip Mangano was found in a marsh near Jamaica Bay. He had been shot three times in the head. Earlier his brother Vincent Mangano disappeared. Authorities questioned Frank Costello about the murder. Was there a connection between this unsolved murder and Harold coming into money around this time? It is possible but not likely with all the hit men floating around Brooklyn. It may not have been this particular unsolved murder that paid for Harold's new home, but one not unlike it.

Wayne Barrett revealed that in the mid-1960's Leo D'Avanzo and his wife Betty and their two daughters, Lee Ann

and Helen, moved to Binghamton, New York. Nicholas "Doc" Somma, who had run a demolition business in Flatbush, followed Leo to Binghamton, as did Elizabeth Mandelino, Leo's D'Avanzo's mistress for nearly 30 years. Elizabeth Mandelino was the daughter of the prior owner of Vincent's, Philomena Mandelino (the Mandelinos were related by marriage to James "Jimmy the Clam" Eppolito). One big, happy "family!"¹⁷⁹ *D'Avanzo Contracting*, a demolition company, was Leo's principal business venture in Binghamton. Wayne Barrett reported that a November 18, 1967, article in the *Binghamton Press & Sun Bulletin* reported that D'Avanzo Contracting had asked the town of Union for permission to use the DiAngelo gravel pit as a dumping site for the debris of demolished homes. Leo D'Avanzo and a few other men rolled several brand new Cadillacs into the pit. In September 1970, after he had founded his own contracting firm, Somma was arrested on felony charges of criminal possession of twenty stolen dump trucks and other construction equipment. D'Avanzo Contracting had also used some of the stolen trucks.

Harold seemed to have an ongoing beef with milk companies and on May 24, 1956 he filed a lawsuit against the Philadelphia Dairy Products Company.¹⁸⁰ The case file was destroyed in a fire. In January 1959 Harold got a \$3,300 a year job as a ground keeper for Lynbrook Public High School and in October 1959 Harold and his family moved to a more expensive home at 2654 Pine Court in North Bellmore, Long Island, despite his being unemployed. Rudy won a scholarship to Bishop Loughlin but where did the money come from to pay Rudy's tuition at Manhattan College and New York University if Harold was making \$63 a week before taxes? Rudy told *WABC-TV National News*, "I grew up in a family that was poor or a little bit better than poor..." In October 1978, Harold and Helen sold their split-level house in Bellmore for \$52,000 and rented a three-bedroom apartment in Bayside, Queens, for

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\$600 per month. At 70 years old, Harold was allegedly commuting by bus to a part-time custodial job at the Gotham Building Maintenance Corporation on 28th Street in Manhattan owned by the Angelucci family.¹⁸¹

STEVE THE BLONDE - BISEXUAL GANGSTER

Leo D'Avanzo's son Lewis D'Avanzo was a fat *bisexual* mobster. Lewis D'Avanzo was known as "Steve the Blond" and was listed as armed and dangerous in FBI bulletins. In April 1959, when Rudy was fifteen, his cousin Lewis aka "Louis" D'Avanzo was arrested for burglary. On April 13, 1959 Magistrate Cullen discharged Lewis in Adolescent Court.¹⁸² In 1960 Lewis enlisted in the U.S. Army but was rejected due to obesity. He stole his first car for the mob while he was still attending Bishop Loughlin High School. A precocious hood, Lewis also stole license-making equipment out of a Department of Motor Vehicles warehouse in Suffolk County. Thanks to the intervention of Rudy's Bishop Loughlin High School guidance counselor Christian Brother Jack O'Leary Lewis was given a suspended sentence. O'Leary now resides in Pittsburg, California.

In January 1962 Lewis D'Avanzo was arrested in Suffolk County and New York City for Grand Larceny, Petty Larceny with a Handgun, Burglary in the Third Degree, Forgery and Criminally Receiving Stolen Property and Attempted Burglary. In December 1962 he was charged with Grand Larceny, First Degree, 3 Counts, Criminally Buying and Receiving Stolen Property as a Felony, Criminally Concealing and Withholding Stolen Property and Wrongfully Acquired Property as a Felony, Forgery, Second Degree, Offering a False or Forged Instrument to be Filed or Recorded in a Public Office. ADA DiBlasi stated, "The Defendant is 21 years of age and has no prior record. Gail Greenstein states that on September 29, 1961 the defendant did sell to her a 1960 Chevrolet sedan for which she paid the defendant the sum of \$1625 consisting of tellers' checks and United States currency. The defendant

represented the car as being his property and produced registration in the name of one Jack Marks whom he represented himself to be.

"Detective Michael DiGioia of the Auto Squad states that the said automobile was stolen from one Douglas Rosen on June 19, 1961 and that said car had been reported stolen on that date. Detective DiGioia states further that the defendant knew that the said car was stolen at the time he represented himself to be Jack Marks to the complainant, Gail Greenstein. Jack Marks states that the defendant did represent himself to be the said Jack Marks to the East New York Savings Bank and forged the name Jack Marks to a check which the defendant had received in payment of the stolen automobile from Gail Greenstein.

"The defendant admitted that he knew the car was stolen and that he did represent himself to be said Jack Marks, the owner of said car when he sold it to the complainant, Greenstein, and that he did forge the name Jack Marks to the check received in payment for the automobile. This defendant is currently under indictment in Suffolk County for the sale of another automobile."

On November 19, 1962 Lewis D'Avanzo plead guilty to Grand Larceny 2 before Judge John E. Cone:

JESSE ZASLOV: If your Honor please, at this time the defendant wishes to withdraw his plea of not guilty as heretofore entered and pleads guilty under count six of the indictment to cover the indictment; guilty to the charge of grand larceny 2 under count number six of the indictment.

THE COURT: Is that satisfactory to the People?

MR. DIBLASI: Satisfactory to the People.

THE COURT: You are the defendant?

THE DEFENDANT: Yes, sir.

THE COURT: You heard what your attorney said; is that your desire to plead guilty to the grand larceny in the second degree?

THE DEFENDANT: Yes.

THE COURT: You know that you could stand trial if you saw fit, have a jury pass upon your guilt or innocence as the case may be; you understand that?

THE DEFENDANT: Yes, sir.

THE COURT: Nevertheless you desire to plead guilty?

THE DEFENDANT: Yes, sir.

THE COURT: Nobody is forcing you?

THE DEFENDANT: No.

THE COURT: And you know that there are no promises being made; is that right?

THE DEFENDANT: Yes, sir.

TIM COURT: What did you do here?

THE DEFENDANT: I sold a car to a Gail Greenstein and the car was stolen.

THE COURT: You knew the car was stolen?

THE DEFENDANT: Well, at that time I suspected it was.

THE COURT: Is that the District Attorney's position here?

Mr. DiBLASI: The car was stolen, yes he knew it was stolen.

THE COURT: Tell the truth; did you know whether it was stolen or not?

THE DEFENDANT: At that time I did suspect it was. When I first acquired the car I thought it was a legitimate automobile. After a while things started mounting up and I knew there was something wrong with it.

THE COURT: What started mounting up?

THE DEFENDANT: I was supposed to go into the service and my father was wondering why I wasn't in yet and I

was told not to pay any insurance on the car; I was given all the papers and everything else.

THE COURT: Who gave you the papers?

THE DEFENDANT: The party I bought it off through an ad in the *New York Mirror*, and I asked these people if they could phone the insurance in for me and they gave me the papers and the license and I did suspect something was wrong and I decided to keep the car.

THE COURT: How long did you keep the car?

TIM DEFENDANT: About three months.

THE COURT: What kind of car was it?

THE DEFENDANT: 1960 Chevrolet.

THE COURT: What did you pay for it?

THE DEFENDANT: A thousand dollars out of my school bank account.

THE COURT: What was it selling for at that time?

THE DEFENDANT: It was selling for about \$1390 so I was getting a pretty good buy.

THE COURT: Is this the story, as you understand it?

MR. DIBLASI: The story that we have is that this 1960 Chevrolet-Impala was stolen from one Douglas Rosen and that this defendant sold this car for \$1625 to the complainant in this case.

THE COURT: Did you sell it for that price?

THE DEFENDANT: Yes, sir.

Mr. DiBLASI: And he sold it to her under a name other than his own.

THE COURT: Did you do that?

THE DEFENDANT: Yes, sir.

THE COURT: That was the name...

THE DEFENDANT: That was the name I had all the papers filled out to.

THE COURT: Why did you buy the car that way?

THE DEFENDANT: Well, I thought I was accomplishing something by avoiding the insurance and other difficulties I would have in registering the car and I was afraid my family would find out I had the car.

THE COURT: Is there anything further there? Have you a statement from him at the time?

Mr. DiBLASI: He denied at the time, he was arrested that he knew it was stolen.

THE COURT: You are in some difficulty somewhere else aren't you?

Mr. DiBLASI: Yes, sir.

THE COURT: Are you a college boy?

THE DEFENDANT: Yes, sir.

THE COURT: I understand, Mr. District Attorney, that in the event that the defendant were to turn out to be a second felony offender you would give him an opportunity to set this plea aside?

Mr. DiBLASI: Yes, sir. I would consent to it and I will put it on the record right now.

THE COURT: However, the belief is that even though he has this other matter out there, the fact that the crime happened about the same time is that it would not be a second felony offender.

Mr. DiBLASI: That's, right. My understanding of the law is that before a second felony there must have been a conviction and sentence on the first felony before he commits the second felony.

THE COURT: That is my understanding.

Mr. Zaslaw: That is my belief sir too and that is the reason that this defendant is taking this plea at this time.

THE COURT: Other than that there are no promises being made to you; you understand that?

THE DEFENDANT: Yes, sir.

THE COURT: Take the plea.

THE CLERK: What is your name?

THE DEFENDANT: Lewis Vincent D'Avanzo.

CLERK: Before accepting this plea you are advised pursuant to Section 335-B of the Code of Criminal Procedure that if you have been previously convicted of a felony, that fact may be later established are you may be subject to different or additional punishment. After consultation with your attorney, Jesse Zaslav who stands beside you, do you wish to withdraw your plea of not guilty to indictment No. 922/62 and do you now wish to plead guilty to crime of grand larceny 2nd degree to cover this indictment, the sixth count?

THE DEFENDANT: Yes.

(Thereupon defendant sworn and pedigree taken.)

On March 12, 1963 in the Supreme Court of the State of New York, County of Kings: Criminal Term Part 9 Lewis V. D'Avanzo was sentenced by the Honorable John E. Cone. Jesse Zaslov was not present, however, Henry Rothblatt was:

THE CLERK: What is your name?

THE DEFENDANT: Lewis D'Avanzo.

THE CLERK: Do you have any legal cause or other cause to show why judgment should not be pronounced against you, if you have speak up, the Court will hear you.

MR. ROTHBLATT: There is no legal cause. I think your Honor has a full and comprehensive report in this case. I would really like to call to your Honor's attention that when this defendant was sentenced in Suffolk County, where he is now serving a year in the County Jail, the Judge in sentencing him took into consideration these charges pending here in Brooklyn and I have the minutes from that sentence which set that forth, and the Court specifically says the Court is taking into consideration all of the facts and also the case pending in Brooklyn in which you are involved, and proceeded to sentence this defendant to a year in jail, and to a suspended sentence in States Prison with probation to follow.

I think, your Honor, the background of this young man indicates certainly that there is a lot of good in him. His fine academic standing in high school, his reasonably good record in college, and I think after he serves the sentence which he is now serving, he is prepared to make his way in society, and I think make a good and decent citizen of himself since he has a lot of good in him intellectually and otherwise.

THE COURT: After you left college, what kind of work were you doing?

THE DEFENDANT: I was working in a Piels brewery.

THE COURT: For how long?

THE DEFENDANT: Approximately two months until I was laid off for lack of work.

THE COURT: What did you do after that?

THE DEFENDANT: Well, after that I was going back and forth to Court and my time was pretty much involved.

THE COURT: Why did you flunk out of college?

THE DEFENDANT: Sir, I didn't flunk out of college. I was requested that I could see the Dean and have my grades reinstated, but I had already boosted my draft to be called into the Army and I was expecting that at any moment. So I didn't go to the Dean's office. I didn't discuss my grades. I just failed to renew my application for admittance in my junior year.

THE COURT: Why did you suddenly become a criminal?

THE DEFENDANT: I don't know, sir. It is something I got involved in things.

THE COURT: A lot of these people that come in here are unfortunate victims of their surroundings. They are to be pitied in many ways. But you had every reason to do otherwise.

THE DEFENDANT: Yes, sir; I know.

THE COURT: Your father runs some kind of a poolroom or something of that sort?

THE DEFENDANT: No. Sir.

STEVE "THE BLONDE" D'AVANZO – BISEXUAL GANGSTER

THE COURT: He has a bar and grill?

THE DEFENDANT: No, my uncle owns a bar and grill, not my father.

THE COURT: Do you hang around there?

THE DEFENDANT: No.

THE COURT: You used to?

THE DEFENDANT: No sir.

THE COURT: Where was the poolroom that you frequented?

THE DEFENDANT: Poolroom?

THE COURT: Didn't you frequent some poolroom?

THE DEFENDANT: No. Sir.

THE COURT: Well, maybe I have you mixed up with somebody else. What do you intend to do when you get out?

THE DEFENDANT: If possible, I would like to go back to college, sir. I don't know if that is possible now.

THE COURT: It may be difficult.

THE DEFENDANT: I know, sir. I would like to try.

THE COURT: All right, you are sentenced to Sing Sing Prison to a term of one and a half to three years, execution of that sentence is suspended and you are placed on probation, which will take effect on completion of the sentence you are currently serving in Suffolk County, provided that you pay restitution to the complainant in the sum of \$1,625. Now, your father has volunteered to make that restitution, I am told. Have you got that available now?

MR. ROTHBLATT: His father is in Court; he said he will have it tomorrow your Honor. Your Honor is taking into consideration the charges presently pending in the Criminal Court here in Brooklyn in imposing this sentence?

THE COURT: What other cases are pending here?

MR. ROTHBLATT: There is a charge of 1897 of the Penal Law. And, I believe, a charge of criminally receiving stolen property as a misdemeanor. The warrants have been

lodged against this defendant, and I suggested to the clerk that the defendant be brought to that court upon the termination of this sentence here so that they can be disposed of, so that when he finishes his sentence in Suffolk County, he is free to make a decent citizen of himself.

THE COURT: Those matters rose independently of this case before me?

MR. ROTHBLATT: Yes.

THE COURT: I don't see any reference to them here.

MR. ROTHBLATT: I can tell your Honor that the Judge in imposing sentence in Suffolk County was aware of them.

THE COURT: He was aware of them, but did he take any action?

MR. ROTHBLATT: Yes. He said, "The Court is taking into consideration all the facts of the cases pending in Kings County which you are involved."

THE COURT: And these you say, one is for possession of a weapon?

MR. ROTHBLATT: Yes.

THE COURT: What kind of a weapon?

THE DEFENDANT: A pistol.

MR. ROTHBLATT: I don't think there is any merit to the charge at all. And also, Judge, may I say this, they were very anxious to apprehend this defendant and take him into custody. And they arrested him for whatever charge they could possibly predicate. I know that these charges cannot stand as a matter of law.

THE COURT: What is the larceny?

MR. ROTHBLATT: It was criminally withholding stolen property involving a fishing rod.

THE COURT: How many fishing rods?

THE DEFENDANT: Three.

THE COURT: What were they worth?

THE DEFENDANT: Approximately \$15, \$17.

THE COURT: What about the gun? Where did you get the gun?

THE DEFENDANT: The gun wasn't mine, sir. I know you are not familiar with the case. The gun was found in the apartment of another party who said that I gave it to him, and I was arrested on that charge.

THE COURT: All right, I will take them into consideration.

MR. ROTHBLATT: Thank you, your Honor.

THE CLERK: Remanded.

As you have read in November 1962 Lewis pleaded guilty to Grand Larceny and was sentenced to 1 1/2 to 3 years in prison. His sentence was suspended and he was put on strict probation. He had to pay \$1,625 in restitution.¹⁸³ Leo listed his address as 1203 Nostrand Avenue, Brooklyn, New York. This author is aware that Henry Rothblatt fixed a case for drug chemist John McClendon in 1966 just as Rothblatt fixed this case for the mob. Rothblatt began his career defending Mafia gambling interests in the Bronx.¹⁸⁴

In 1953 Mafia Mayor Impellitteri swore in John E. Cone as an Associate Justice of the Court of Special Sessions. Cone became a crusader against juvenile crime and juvenile delinquents. He was part of a group that attempted to curtail the proliferation of switchblade knives, zip guns and illegal weapons that were popular among hoods at the time. He was still advocating this when he let Lewis off with a slap on the wrist. District Attorney Rudolph F. DiBlasi, who "recommended the acceptance of the plea," became a State Assemblyman from Brooklyn who sponsored a bill to make sale of marijuana to minors punishable by a life term.¹⁸⁵ In November 1963 Lewis D'Avanzo was arrested on a fugitive warrant and in 1966 he was charged with Grand Larceny Auto. In 1969 United States District Court Judge Joseph C. Zavatt examined this period in Lewis's life:

The Court: I see a grand larceny in the first degree. I do not know where it was. It says disposition GE. I do not know what that means.

Mr. LYNCH: That is a mark put in by the United States Attorney.

The Court: Was he convicted?

Mr. LYNCH: No, sir.

The Court: He was arrested on a 1962 burglary third degree; 1962 forgery; 1962 gun charge, that seems to be the same date; grand larceny of currency, 1962; criminally concealing stolen property, an automobile, in 1962. That was quite a year, and another one in 1962, something about an attempted burglary in the third degree.

Mr. William Sonenshine [Defense Attorney]: I think most of these were actually arising out of one transaction.

THE COURT: In Riverhead he got a year and a half to three years, and what is the other one, where it does not give what the offense he pleaded guilty to in November 1962, grand larceny in the second degree; is that right? The charge is not given so you do not know what the charge is if it is grand larceny.

Mr. LYNCH: He pleaded guilty to grand larceny.

THE COURT: You had better find out what it is.

Giuliani has stated, "Organized crime figures are illegitimate people who would go on being illegitimate people if I got them off. I would not want to spend a lot of time with them, shake hands with them, have sidebar conferences with them and become involved with people who are close to totally evil." However Lewis D'Avanzo was a guest at Giuliani's wedding in 1968, when he married Regina Peruggi.

On April 15, 1969 Lewis D'Avanzo was charged with Criminal Possession of Stolen Property and Possession of Burglars Tools. On October 2, 1969 he was charged with Interstate Theft. The next day Possession of Mercury in excess

of \$100 was added to this charge - he and his Mafia crew had participated in the armed hijacking of a truck loaded with \$240,000 worth of mercury and were attempting to dispose of it when they got snared by an FBI investigation of Mafia trucking companies. FBI Agent Daly: "We decided to make a survey of all the warehouses and trucking companies in Staten Island, and on June 5, 1969 a crew of fourteen Special Agents were sent to Staten Island to assist in this survey. Our men were given certain assignments to cover certain warehouses, certain trucking companies and that the investigation was conducted on the afternoon and evening of June 5, 1969. Twenty one trucking companies were visited." Agent Moresco was assigned to the Falcone Scrap Metal Yard, since he had been investigating its nominal owner, Vincent Falcone, since October 1968 and was assigned to develop any information as to a load of missing mercury that had been hijacked on June 3, 1969. He noticed a truck filled with mercury cylinders. The United States Attorney outlined the grand jury's findings and the investigation that followed, "The first count charges that the defendants knowingly on or about June 5, 1969 had in their possession a quantity of mercury. The second count charges that on or about June 5, 1969, the defendants transported a stolen motor vehicle. The third count charges that the defendants on or about June 19, 1969 transported this stolen mercury. The fourth count charges that the defendants on or about June 5, 1969 received and concealed this stolen mercury. To support these charges, the government will call first one Mr. Thomas Hawkins, a truck driver for the Mangum Kester firm of Brooklyn, New York. He will testify that on June 3, 1969, while he was so employed, he took an empty 1965 Mack tractor and Freyhoff trailer to Pier 20, Staten Island New York, and that he picked up 400 cylinders of mercury and that he presented certain documents at this pier to obtain this property, and that he was to take this property from Pier 20 in Staten Island and

deliver it to a pier in Brooklyn, New York. He will testify that approximately three blocks from Pier 20 in Staten Island he was held up by three armed Union men and that they took the truck containing the mercury from him and that he was subsequently driven to an abandoned house in Suffolk County, where he was left bound and gagged. That he eventually freed himself with the help of some young children and called the police. And on the next day, June 4, 1969, he saw the tractor-trailer that had been taken from him now back at the place of business at the Mangum Kester Transfer Corp.

“The Government will next call agents of the FBI who will testify they were assigned to this investigation. That they visited various trucking companies and establishments in Staten Island attempting to recover this mercury, and they observed this 1969 International truck outside the place of employment of the defendant, D’Avanzo, at the Caton Scrap Metal Company on Richmond Terrace in Staten Island and the truck had printed on the cab the name, the same name, as the defendant Falcone. The agents will testify that this truck appeared to be low on the rear axle, heavily laden. The agents will testify that they followed the truck from Staten Island...ultimately into Connecticut on the Connecticut Turnpike. They will testify at various points along the route the agents observed the operator of the truck to be the defendant, Lewis D’Avanzo and the passenger in the truck to be the defendant Falcone. They will testify that they observed this truck with the defendants therein park at least three occasions at various rest stops along the route, and they will describe where the defendant D’Avanzo made various telephone calls, and that at a stop that the defendants made in the truck in Darien, Connecticut, the defendants had a conversation with an unknown person who also was present in the truck stop with his own truck.

“The agents will testify that they observed the truck...proceeded along local routes and streets to a residential

area in the vicinity of Watertown, Connecticut, and that this area was unfamiliar to the agents. They will testify that they observed the defendants pull into a *cul de sac*...The agents will testify that they saw this truck enter this *cul de sac*, go down and complete the half turn. They will testify that they observed the truck stop and the lights go out on the truck. They will testify that they then had a meeting amongst one another, there were three government cars containing FBI Agents and that they had certain conversations and that they thereafter saw two men coming uphill in the *cul de sac* and as they approached the agents and the agent's cars, they observed these two men suddenly run into the woods. This was about 2:30 to 3:00 AM in the morning.

"An agent will testify that he went down into the *cul de sac*, the short street and observed the unoccupied truck parked therein, the same truck he had followed from Staten Island. The agents will further testify that the defendants were apprehended a mile away as they emerged from the woods, that they were all wet and disheveled, and were arrested by the Police Department of Watertown, Connecticut for disorderly conduct. The Government will call Patrolman Thomas Kennedy of the Watertown, Connecticut Police Department who will testify he observed defendant D'Avanzo approximately one mile from where the truck had been left. He observed D'Avanzo running down Main Street, and he stopped him, and D'Avanzo told him he was lost and wanted to know where he could get a train or bus out of town, and he also inquired about a telephone.

"Patrolman Kennedy will tell you he directed him to an empty service station, and that shortly thereafter, he, with the assistance of the FBI Agent arrested this defendant for disorderly conduct. Another officer from the Watertown Police will testify that he arrested the defendant, Vincent Falcone, at

approximately 5 AM also wet and disheveled, and charged him with disorderly conduct."

Prior to hooking up with Lewis D'Avanzo, Falcone was arrested for possession of stolen property, wire from Con Edison. Judge Joseph C. Zavatt, a Jewish veteran of two World Wars knew that Falcone was fronting for the mob and asked him, "Do you really own the scrap yard?" Falcone replied, "Yes sir, I do." Falcone's attorney interjected, "I think its called Falcone Salvage" and the judge responded, "That wouldn't make any difference."

Judge Zavatt was unimpressed by a letter he received from State Senator John Marchi on behalf of defendant Falcone. He said, "I would like to have the probation report note the fact that Mr. Falcone had never been in any conflict with the law before and that this is his first offense. Well now that's being awfully cute. If he knew, as he should, that he was convicted of another crime. Now, Mr. Marchi shouldn't write that kind of letter because that implies that he means that he had no other record and that this is his only offense."

At D'Avanzo's sentencing hearing his connection to organized crime surfaced:

THE COURT: Yes, Mr. Sonenshine.

Mr. Sonenshine: With, respect to this defendant in particular, as I indicated, your Honor has a probation report which your Honor was kind enough to allow me to examine - Your Honor indicated that he would give no weight or credence to statements in the report --

THE COURT: I never do.

Mr. Sonenshine: (Continuing)-- which might be

THE COURT: Well, No. I ---

Mr. Sonenshine: (Continuing) derogatory in nature.

THE COURT: Not derogatory in nature. No. I ---

Mr. Sonenshine: I say which are unsupported.

THE COURT: There is a criminal record.

Mr. Sonenshine: That of course, is supported.

THE COURT: In 1962 when this defendant was twenty years of age, he was found guilty of attempted burglary and petit larceny in the Suffolk County Court.

Mr. Sonenshine: That's correct.

THE COURT: And in that case he and an accomplice broke into the Babylon branch of the Department of Motor Vehicles in Babylon. And after they entered the building they broke open the safe and they removed twenty-seven validating machines and \$200 in United States currency. And he and several accomplices were arrested after an investigation in 1962 and he was sentenced to one year in the Suffolk County jail with a probation period to follow. Is that correct?

Mr. Sonenshine: Yes. That part is correct. What I refer to as unsupported derogatory -- this is supported.

THE COURT: I am going to come to it. At age 17, he was in the Adolescence Court on a charge of burglary in Brooklyn. That was dismissed. At age 20, a month before the petit larceny charge, he was in the Criminal Court in Manhattan charged with Grand Larceny of an automobile. He was acquitted. Then came this breaking into to the Department of Motor Vehicles in Babylon and he got a year in jail. Apparently on one count and on the second count, 1 1/2 to 3 years. The execution of sentence was suspended and he was placed on probation. He must have gotten out of jail on the one-year sentence in a short time. A few months.

The Defendant: Ten months.

THE COURT: He was in the Criminal Court in Brooklyn on a charge of possession of a gun. And in March of 1963 he was acquitted. He was in the Supreme Court, Kings County, on a charge of Grand Larceny. And on March 12, 1963, he was sentenced to serve a sentence of 1 1/2 to 3 years in Sing Sing. And again he got execution of sentence suspended.

Mr. Sonenshine: I think that's the same case to which your Honor previously referred. That was connected with the Suffolk County case.

THE COURT: I don't know if it was.

Mr. Sonenshine: In other words, there was not two 1-1/2 to 3 years. Your Honor is referring to that which is previous -

THE COURT: This is a different court. One is Suffolk county Court and the other is the Supreme Court.

Sonenshine: I am aware of that. But what I am saying is that the Supreme Court case really arose out of the Suffolk --

THE COURT: - That could be. But it must have been a separate crime.

Mr. Sonenshine: Yes.

THE COURT: Yes.

Mr. Sonenshine: Apparently what happened, this was all the same event, really.

THE COURT: No, it isn't. I'll tell you -

Mr. Sonenshine: I think -

THE COURT: The Suffolk County case relates, Mr. Sonenshine, to breaking into...

Mr. Sonenshine: I was in error.

THE COURT: You are in error. Now, in this later case where he got another break, it says that in June of 1961 the apartment of one Jake Marx was burglarized. And among the items stolen were Mr. Marx's identification papers. Thereafter, a 1960 Chevy Impala car -- and the car was registered by the defendant in the name of Mr. Marx -- with an automobile ownership card reported stolen by a Brooklyn used car dealer. The defendant then advertised the stolen car for sale and sold it to a young woman for \$1,625 during November of 1961. The defendant was arrested after an extensive investigation. And in addition to completing the probation, his family made restitution to the victimized woman who unknowingly purchased the stolen car for \$1,625. Is that you?

The Defendant: Is that me? Is what me? The case?

THE COURT: You were the defendant in case.

The Defendant: Yes I was.

THE COURT: That was in 1963. He was then twenty. At age 27 he's in the Criminal Court, Brooklyn on another charge, Grand Larceny, automobile. Dismissed. At age 29 he's in the Criminal court, Brooklyn, on a charge of criminally receiving stolen property, possession of burglar's tools. And in August of 1969 that was dismissed. Now, the report, as you know gives his family background, who his parents were and so forth, his father and mother sisters and so forth. It says that he allegedly earns his living as a self-employed contractor. Self-employed contractor who is involved in urban renewal projects. Information obtained from court records and law-enforcement authorities reflect **the defendant's father had an offense for stolen property as well**; the father is not a defendant in this case. Nothing to do with him. **It is believed that he may in some way be connected with organized criminal activities.** I don't consider that. Maybe he is. I don't know. There is nothing in here to indicate what they are. Then it talks about his mother and sisters and his marital status and his children, the home that he has owned and purchased and his schooling. You've seen all of this. I.Q. of 110. He's not a moron. It's hard to believe that this well-built young man at one time weighed 300 lbs. and got a 1-Y classification apparently in the draft because he was overweight. Now it talks about his employment. And he claims that from 1967 up to the present time he was an employee, a laborer, working for the Caton Scrap Metal Company. Although the defendant was requested to submit tax returns verifying his employment with the above-mentioned firm, he failed to do so. It is interesting to note that one Michael Biggs, who was sentenced by your Honor that's me -- on June 23rd to a five-year term for possessing and dealing in counterfeit notes why didn't he submit his tax returns?

Mr. Sonenshine: I don't know, Judge. I don't think there was any real --

THE COURT: No question about that.

Mr. Sonenshine: About his employment. It came out.

THE COURT; I think there might very well be.

Mr. Sonenshine: I don't know.

THE COURT: I seem to recall that when --

Mr. Sonenshine: We stipulated that he was employed.

THE COURT: Now just a moment. I recall that when Mongoro was tried, a little Casper Milquetoast type of person, that this defendant was in this courtroom every day during the trial wearing very heavy smoked glasses. He doesn't have those on today. And now that I hear that he's so-called employed, it seems strange that if the boss had to be away from the plant because he is on trial that his employee isn't working while the boss can't work and he's in court every day in that case. And now when I read that he was asked for his income tax returns with reference to his so-called employment and he has not given them, one could suspect that he was no mere laborer for Caton Scrap Company. He's also supposed to be a laborer previous to that for Pappy Salvage Company. Attempts to verify his employment were unsuccessful.

Mr. Sonenshine: I think the company was out of business according to the report.

THE COURT: Yes, I know. And here's a laborer working for Mongoro for \$150 a week gross and he has a wife and two children

Mr. Sonenshine: I think the --

THE COURT: Two children by a prior marriage.

Mr. Sonenshine: That's correct.

THE COURT: And he has a child by this marriage who is 19 years old and a second one on the way. He's working as a laborer for \$150 a week gross, and he has a home that is worth approximately \$45,000, which he purchased in May of

1969 for \$38,000. \$12,000 down payment. Now, although the defendant's fingerprints were later found on the stolen truck, he refuses to make any statements. Well, as I recall, he didn't take the stand.

Mr. Sonenshine: That's correct.

THE COURT: **Now the agents express the opinion that the defendant may be involved in organized criminal activities.** And in view of his superior intelligence and more extensive record, consider him to be more culpable than his co-defendant. Well, I may consider him - I heard this case. I may consider that he is more culpable than the co-defendant, but not on the basis of any opinion that he may be involved in organized activities, but on the basis of the evidence in the past. **And I do not sentence a man upon and take into consideration at all any suspicion that he may be involved with organized crime. He may very well be. I don't know.** And he may not. But I don't take that into consideration in imposing sentence. I want you to know that.¹⁸⁶

Lewis D'Avanzo was sentenced concurrently on these charges to 10 years in prison. On January 3, 1972 Lewis self-surrendered and began his ten year "bid" at Lewisburg Penitentiary. On May 11, 1972 Brooklyn District Attorney Eugene Gold indicted D'Avanzo for being a member of a stolen car ring run by organized crime and charged him with Possession of a Forged Instrument, Grand Larceny, Possession of Stolen Property, and Alternate VIN # Conspiracy. Lewis D'Avanzo was moved to a Federal Detention in Manhattan. In 1972, "Gold linked Thomas Mule, Edward Morin and Mickey Zagarino to organized crime but he would not elaborate. He charged that Morin had taken over the auto document forging business from Lewis D'Avanzo of 1235 Rockland Avenue, Egbertsville, Staten Island. D'Avanzo is serving **six years** in a federal prison for hijacking. He and five others were indicted last Wednesday on charges of criminal possession of identification plates, forged

instruments and conspiracy... The others who were indicted are, Peter Arzoomanian, an engraver. He is reputedly an associate of Carmine Trumanti, formerly a captain in the Mafia family of the late Thomas Luchese."¹⁸⁷

After Frank Costello's successor Thomas Luchese's natural death, Carlo Gambino gave the nod to head the Luchese family to capo Carmine Trumanti, whom he knew would be very appreciative and thus cooperative. In January 1973 Lewis D'Avanzo was transferred to the Medical Center in Springfield, Missouri. It appears he was pardoned on March 8, 1974¹⁸⁸ and it appears that sometime between 1974 and 1976 Lewis D'Avanzo was released. Lewis D'Avanzo became involved with John W. Quinn in the "use of counterfeit New York State Department of Motor Vehicles Titles to register stolen vehicles." John Quinn was a chop shop operator and car thief who delivered the ring's Cadillacs and Lincolns to the Gambino family's most experienced murderer, crew chief Roy DeMeo. On August 30, 1977 Lewis's father, Leo D'Avanzo, sixty-five years old, died of emphysema at Binghamton General Hospital. His on-the-books estate, worth \$202,403.56, was left to his wife Betty.

On October 31, 1977 FBI agents observed Lewis D'Avanzo driving through Brooklyn along with Ralph and Joseph Esposito. Lewis D'Avanzo and the Esposito brothers were wanted on warrants accusing them of interstate transportation of 100 stolen late-model luxury cars. Lewis D'Avanzo's FBI "armed and dangerous" profile had also been upgraded since the early 1970s. Agents watched the car, driven by one of the Esposito brothers, slow to a stop. Lewis got out and got into another car. One agent drove his car behind him, blocking an escape. The other agents walked toward Lewis's car, shouting that he was under arrest and ordering him to get out of the car. Lewis mumbled, "Okay, okay," but remained in the car then Lewis then attempted to run over FBI Agent Ritchie

Mika and was shot to death. The FBI reported, "A September 9, 1977 FBI report described Quinn and D'Avanzo as 'the principal operators of a commercialized auto theft ring operating out of Brooklyn.' On October 31, 1977 (deleted) telephonically contacted the New York Office upon learning of the death of Lewis V. D'Avanzo. Source advised that he was not surprised since he always considered D'Avanzo to be a brutal individual who fancied guns and (deleted). Source advised that D'Avanzo (deleted) years ago in connection with (deleted). **D'Avanzo was reported to have been behind the murder of his former associate, John Quinn, who was killed during the summer of 1977. Quinn's girlfriend [Cheri Golden] was killed at the same time.** Source advised that at (deleted). In addition to Quinn and Golden murders, stories have been in circulation for years that **D'Avanzo had knocked off a number of individuals he was associated with.** Source reiterated that because of the lengthy sentence D'Avanzo would face, should he ever be arrested again, he was certain knowing D'Avanzo that he would not come along peacefully; therefore he was not surprised to learn that D'Avanzo had been killed that day. (deleted) this source stated (deleted). During September 1977 Special Agents of the United States Secret Service, New York Division, became involved in an investigation dealing with the counterfeiting of U.S. currency. The investigation led to (deleted) and Lewis D'Avanzo as the source of the counterfeit \$50 bills being circulated in the New York and Florida areas. (deleted) On November 1, 1977 SA (deleted) filed a complaint before the US Magistrate, EDNY, charging (deleted) with violation USC T 18 Section 371, 2312 and 2. [Conspiracy to Make False Statements and Defraud, Transportation of Stolen Motor Vehicles and Aiding and Abetting a Criminal Act]"

Lewis D'Avanzo should have been charged with murder: *The New York Times* reported, "Body In Car Identified As

Brooklyn Woman, 19: The body of a slain young woman found Sunday in an abandoned Lincoln Continental in Brooklyn was identified yesterday as that of Cheri Golden, who had been missing since last Wednesday evening, when her friend John W. Quinn, was also murdered. Law enforcement officials said that Mr. Quinn, 35, who lived in Farmingdale, Long Island, had been under investigation by the Nassau County District Attorney's office for his alleged involvement in a 2.5 million securities theft. He was married and had six children. Mr. Quinn's body was found in a heavily wooded area of Staten Island about two and a half hours after he had picked up Miss Golden, who had been living with her parents in Brooklyn's Flatbush section. Mr. Quinn was shot once with a handgun, the police said. Miss Golden was shot three times in the head."¹⁸⁹ Golden's half nude body was found jammed underneath the dashboard of a stolen car near Coney Island, in Brooklyn. Mob turncoat Dominick Montiglio testified that he had heard that Gambino boss Paul Castellano (Carlo Gambino's brother-in-law), who put out the contract on Quinn, was upset that that Cheri Golden was also killed. In 1985 Paul Castellano was gunned down outside of Sparks Steak House in Manhattan during his racketeering trial that had transpired as a result of an indictment handed down by Rudy Giuliani.

Others have attributed this killing to Roy DeMeo although it did not bear his signature meticulous dismemberment and disposal of the body. Quinn, however, did deliver the ring's stolen cars to his boss Roy DeMeo and Quinn was going to testify against him before a Nassau County Grand Jury. FBI head William Webster wrote a memorandum on the D'Avanzo crew: "Five ring members were murdered *gangland style*. Informant information corroborated the murders." Webster also noted that the "sources" of many of the rings' counterfeit registration titles "were various organized crime associates and a Capo in the Luchese La Cosa Nostra Family." The capo was

later identified as Anthony Tortorello who ran a heroin operation in lower Manhattan. The ring was also involved with Colombo crime family capo and FBI informant Greg Scarpa Sr, according to former NYPD Detective Douglas LeVien.

LEWIS D'AVANZO'S SON LEE: In 1993 Judith Shemtov was shot to death in a botched home invasion by a consortium of mob wannabes from the Bath Beach and New Springville Boys gangs. Former South Beach club impresario Chris Paciello pleaded guilty to driving the getaway car for the crew, who raided the home after getting a tip that the stepfather of Judith Shemtov's son, Adam Kidan, had \$200,000 in cash stashed in a safe. In August 2000 while Lee D'Avanzo was the head of the New Springville Boys, he was indicted for conspiracy to distribute a load of marijuana that he and his crew had hijacked from smugglers. He was sentenced to 60 months imprisonment. In December 2001 Lee D'Avanzo was indicted along with "Fat Joe" Joseph Gambino, Salvatore "Fat Sal" Mangiavillano and several others for hijacking truckloads of marijuana, and bank robberies in Brooklyn, Newark, New Jersey and Washington State. Lee D'Avanzo was charged with Racketeering Conspiracy, Money Laundering, Conspiracy to Defraud the United States - Bank Burglary Conspiracy and Bank Burglary.¹⁹⁰ Salvatore "Fat Sal" Mangiavillano was a Gambino associate who testified that in 1999 he learned that Sammy "The Bull" Gravano, who was part of the Witness Protection Program, was living in the Phoenix area, and went there on orders from Peter Gotti to whack him. Mangiavillano was so adept at surveillance that he rigged a web cam in the grill of a rented panel truck that he parked outside Gravano's Phoenix, Arizona pool construction company. Using a laptop computer from a safe distance away, he monitored Gravano's comings and goings. But before they could carry out the plan, Gravano was arrested in Arizona on drug charges.¹⁹¹ The *New York Daily News* reported that Lee D'Avanzo was romantically

linked to Karen Gravano, the daughter of Sammy "The Bull," who pleaded guilty to her role in an Ecstasy operation.¹⁹² Associates of convicted Gambino Family Godfather John Gotti investigated reports that Sammy "The Bull" Gravano was both gay and had also committed *more* than the 19 murders he confessed to when he agreed to testify against Gotti.

Lee D'Avanzo's wife wrote this letter to sentencing Judge Korman: "I come from a very strict family that believes in marrying within the same nationality and religion [Jewish]. I met Lee and instantly fell in love. I was forbidden to marry him because of my families' beliefs. I left my family to be with him...Lee was mentally wounded from the death of his father and I believed he needed to seek professional help as a child from that loss...Lee got arrested when I was only three months pregnant." Lee's mother, Lois D'Avanzo wrote, "Lee's dad died when he was a very young child of eight. I never told my children how he died, just that he had an accident...My problem actually started with my son when he was a teenage boy. He came home and angrily asked me why I did not tell the truth about his father's death apparently his friend's parents were not very discreet." Lisa Richichi, D'Avanzo's sister also wrote a letter in his behalf. Natale Richichi is a capo in the Gambino family of La Cosa Nostra, who dealt directly with the bosses of the Gambino family and had influence with other factions of La Cosa Nostra. He was also and advisor to John Gotti.¹⁹³ The relationship between Lisa and Natale remains unclear.

At this juncture it should be pointed out that of the most difficult part of this research is establishing if someone with the same last name and is part of a particular crime family is related to someone with an identical last name in the same crime family. In his 1992 book, *Mafia Cop*, Louis Eppolito chronicled his extensive Mafia connections, which he had failed to disclose on his NYPD employment application. NYPD could not find the familial connection despite the same last

name. Not every D'Avanzo is related to every other D'Avanzo, but it is possible but not certain that one D'Avanzo in the same Brooklyn crime family is related to another D'Avanzo in the same Brooklyn crime family. For example, in November 1961 Jerry D'Avanzo was arrested under a new anti-Mafia law forbidding the interstate transportation of gambling devices. He listed his address as 870 Metropolitan Avenue, Williamsburg, Brooklyn, New York.¹⁹⁴ He was an Organized Crime figure with the same last name from the same locality however Wayne Barrett was unaware of any familial relationship. Pasquale (Patsy) D'Avanzo, president of the Brooklyn Trade Waste Removers Association, was another story. Wayne Barrett recalled that he came across a Rudy-related D'Avanzo who was involved in the private carting business but cannot recall his first name.¹⁹⁵ In March 1950 Pasquale D'Avanzo was arrested for felonious assault when a police officer raided a policy joint he worked in. As the police officer went behind the counter to retrieve the policy slip "the defendant did take hold of the right side of the jacket worn by the deponent, and raise a machete over his head shouting at the deponent, "I don't give a f**k if you are a cop. If you come behind the counter, I'll sink this into your head."¹⁹⁶ A few years later commercial trash collection was privatized. The Gambino Crime Family and other Cosa Nostra private militias muscled out legitimate trash haulers and were able to charge exorbitant rates for commercial trash collection. The Gambino family controlled the Association of Trade Waste Removers of Greater New York, in Manhattan, and the Queens County Trade Association in Brooklyn. By 1974 Pasquale D'Avanzo was under indictment for his role in the Brooklyn Trade Waste Association. Around this time the city was considering taking over commercial trash collection and *The New York Times* reported, "Mr. Pasquale D'Avanzo denies that the city can do a better job or more cheaply than his cartmen. 'They can't do it cheaper than us.

HOMOTHUG

For one thing they have to have three men on a truck [due to union rules] while we have two. What does a Tom, Dick or Harry on a grand jury know about the business?"

LAWRENCE V. RAY - PUMPED THEN DUMPED

By 1995 things had not changed and Gambino crime family soldier Joseph Francolino controlled the Association of Trade Waste Removers of Greater New York and Manhattan and the Queens County Trade Waste Association in Brooklyn. Francolino was indicted by the Manhattan District Attorney's Office for overseeing a mob cartel in the carting business. He would later be convicted and sentenced to serve time in state prison. *Staten Island Stone*, a trucking firm that was owned by Joseph Francolino Jr. the son of Joseph Francolino did business with Frank DiTommaso and his brother Peter DiTommaso the CEOs of a Mafia construction company known as Interstate Industrial Corporation. Frank and Peter DiTommaso (photograph below) are part of a new breed of mob guys. They are college graduates who have never been accused of using



substandard materials on a construction project. Both brothers are pros at denouncing the mob. Frank stated, "My knowledge of them [the Mafia] is, they're criminals. They're murderers, drug dealers, what we see and read on TV. These people have woven themselves into the fabric of our society, and they are the leeches that prey on people, hardworking, good, honest

people from what I -- I'm an Italian -- I'm an American. My grandparents are from Italy. My grandparents, yes, they were immigrants. Hard-working guys. My grandfather was a sanitation worker. His three siblings were civil service; sanitation worker, fireman, police officer. And now, all of a sudden, somehow I've gotten this link to organized crime or allegedly

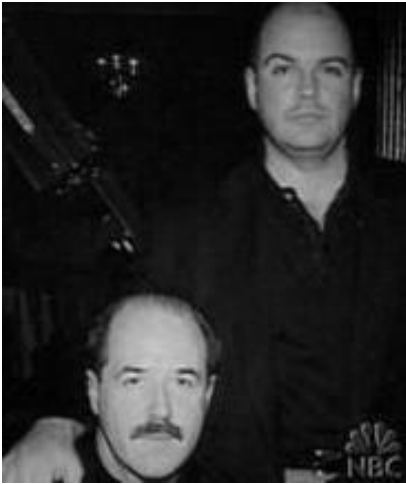
being probed for organized crime. And I don't know how that happened. And did it happen because I bought a business that I thought was a legal operating business? And people like the grandchildren of Castellano were there and that created this whole aura that I'm somehow doing business or being tied to organized crime? I don't know how that happened.

"I don't speak Italian, yet I keep getting characterized and I've gotten characterized as somehow being involved with the Mafia and tied to the Mafia. And I'm very -- I'm stigmatized by it. I'm traumatized by it, and I have a very distasteful feeling for all those people and the things they've done to people of Italian heritage. The people of Italian heritage have been completely smeared. The good, hard work of all the people out there, by these awful people, really. And they should all be in jail, and they should all be shipped out of our country. And I just want you to know that. You asked me my opinion of the Italian -- of the organized crime.

"All I know is I had to come home from an engagement party and go down the basement where I put a big screen down there -- TV. And my son is there, three of his buddies from the neighborhood. I had to explain to my 14-year-old. And I just came home from a beautiful engagement party. It's 10:00, and who's on the 10:00 news? Me. Being linked in organized crime. How the hell did that happen?"

It happened because Interstate bribed or attempted to bribe city officials so that it could obtain a waste-hauling license and other lucrative contracts. These included members of the Trade Waste Board whose job it was to weed out the Mafia fronts. Interstate also apparently bribed the head of the Atlantic City Casino Control Commission, Michael Fedorko, into granting Interstate a non-gaming casino license. Given the history of New Jersey this was no big deal. But perhaps Interstate's greatest accomplishment was having Giuliani's Police Commissioner and choice for Head of Department of Homeland

Security on its pad. This landed them a place in the Mafia Hall of Fame. How did this come about? Ask Lawrence V. Ray shown with Bernie Kerik below.



Born Lawrence V. Grecco, Ray spent his early childhood in Brooklyn and moved to Watchung, New Jersey, after his mother married Dr. Gordon T. Ray, a telecommunications executive and son of John H. Ray a five-term Republican Conservative congressman from Staten Island. John H. Ray was a Minnesota-born former Vice President and

general counsel of AT&T with a long history of distinguished public service. John H. Ray represented the Fifteenth Congressional District that embraced all of Staten Island and a carefully carved out segment of Bay Ridge in Brooklyn. This area was known as a gerrymander because it was intended to corral a majority of Republican voters. Although he represented a district with many longshoremen, he concerned himself with issues that involved the shipping and ship building industries. He voted to reform the Longshoreman's Union and remained aloof from mob influence. He had two sons, John H. Ray 3rd and Gordon T. Ray. Dr. Gordon T. Ray married Nancy Clark in February 1948. They had one son Carl John Ray. Nancy was graduated from Deerfield Academy in Massachusetts and from the Katherine Gibbs School. Gordon T. Ray divorced Nancy then married Mrs. Grecco.¹⁹⁷

Lawrence V. Ray never graduated from college, however he used the Ray name to gain entrance to the organized crime, financial and intelligence communities. He worked his way up on Wall Street ostensibly in the mortgage-backed

securities field. According to Frank DiTommaso he first met with Lawrence Ray in the late 1980s or early 1990's at Ray's request. He said Ray was attempting to obtain business for his company that was a provider of financial services or insurance broker services. Frank contacted Larry Ray about a financing problem he was having that he thought Ray could "fix." The Interstate companies were having difficulty obtaining adequate bank credit due to a general tightening of credit for the construction industry. Apparently Ray was able to obtain an extension of bank credit for Interstate by paying off a bank official. In return, Ray was to become the insurance broker for the Interstate companies. At about this same time frame, Willis Corroon, a large insurance brokerage company bought out Ray's insurance company. Ray then became affiliated with Willis Corroon. According to Frank DiTommaso, the business relationship between the various Interstate companies and Willis Corroon was a financial disaster for Interstate. The amount of money Interstate needed to pay for insurance premiums increased substantially. DiTommaso said he then terminated the business relationship and eventually obtained a new insurance broker. As a result of this episode, Frank DiTommaso indicated that his social relationship with Ray soured. After a period of time, however, the relationship eventually resumed. Ray had broken with Willis Corroon and had again gone into business for himself.

Lawrence Ray had a different version of events: "I met him at an industry outing that's all. Like an insurance industry outing. We just became friends. I became friends with him and 40 other people around that time. That was it. We just rode motorcycles together. I never offered to help him." Frank DiTommaso was questioned under oath about Ray's ability to secure the financial services for Interstate:

Q. Now, let me try to characterize it without there being any negative connotation, but it sounded like he was acting

more like a lobbyist or a **fixer** on your behalf with the bank as opposed to coming up with any alternate plan of his own.

A. Basically, my understanding, I would look at it more along the lines he was working with my staff to help present the facts of the company and the situation we were in at that time to the bank in the way, in a format that the bank would be more receptive to looking at it, versus us -- we were very unsophisticated, and this was back ten years ago, it was only myself and I never dealt with the restructuring debt of a bank. We were at a line of credit, and we were at a situation where we couldn't pay it back at that time. What we could do now about the bank putting us at performance, even though we were paying our interest. So they were looking to get us out, and that was a whole new ball game for me.

Q. He does actually work something out and you restructure your debt, is that accurate?

A. Basically what he had done, he had, through his recommendations and working with my staff, he did put a presentation forward to the bank and they accepted it, in which time it worked out, again, to both the bank's mutual satisfaction and mine.

Q. In return for that now, he has a chance to handle your insurance business?

A. That's correct.

Q. Did he get like any type of any payment for doing that, for helping you restructure your debt?

A. No, sir. He basically acted -- we discussed that when you were out.

Q. Go ahead.

A. He asked me about the fee so if I told him it was pro bono with the understanding we would go forward.

Q. With the insurance?

A. Yes.

In 1993 Ray told his associates that he was traveling to Russia on a mission for the intelligence community. Ray told this researcher about his first meeting with Bernard Kerik two years later, "Bernard Kerik and I met in what seemed unintended in 1995 in a luncheonette in New Jersey. It was not an accident on the part of Kerik and others...I think it was staged meeting with Kerik. The Bureau has told me that. They were trying to recruit me at the very least was to do bogus deals. In other words he wanted to put me in business. He wanted me to do the dairy contract for Rikers for all of Corrections at first and then half the profit would go to him and Giuliani. He wanted to fix it so I would get half. That was one of the first big ones he tried to do. I never did any business with them. In any event I didn't even think about this till I got framed in 1999. What it goes back to is Florida. What they really wanted me to do in the beginning it was...the whole idea of his meeting me was the gaming ships. It was the gaming ships. It was right around that time I met Kerik and they wanted me to buy a ship set up a company and then they would participate it in it. They are building an overseas criminal enterprise. And none of you guys noticed for some reason. It amazes me."

Reporter John Solomon wrote that materials Ray provided to law enforcement corroborated his claim that Kerik discussed a range of private business proposals with him. Kerik sent and received numerous faxes from his city office addressed to Ray about several possible deals, including one in 1998 titled "Proposed Acquisition of Sugar From Brazil for Russia." Another in 1997 from a major international bank concerned possible real estate transactions in New York and Russia. The investigative files gave no indication whether any of the deals occurred. Ray also alleged that Kerik notified him when Giuliani planned to appoint Kerik in 1997 to New York's gambling regulatory commission. Ray had an application for a license to run a riverboat, according to the documents he

turned over to police. "Kerik was real excited about that. He wanted me to purchase the ship and do the retrofitting," Ray told *The Washington Post*. "It was supposed to be offshore. He would get 50 percent. We would set up a company to own the ship." That plan never materialized.¹⁹⁸

In 1996 Larry Ray claimed that he was tasked with a national security assignment. After TWA Flight 800 crashed into the Atlantic there were numerous reports that a ground to air missile had hit it: "I had also been tasked after Flight 800 went down [July 1996] to locate and retrieve any of the surplus Stinger Missiles we supplied when we appropriately backed the Mujahedeen during the Afghan Conflict. I was tasked originally by the FBI. I located and arranged to take that load of stingers out of circulation. There were logistical problems for the Bureau and time not being friendly I completed that task with the CIA. I am told it was the largest load recovered at the time, which concerned me since I was tasked due to an emergent need, before that I had never paid attention to that recovery program and I would have thought we as a Nation would have been more successful in that regard...That's just one of the things I was asked to do. That was by the Bureau because I was also doing some work for the counterterrorism side of the Bureau. I rounded them up overseas. I didn't get any in the United States. We were getting them over there, but they are easy to get here. I could have gotten a load of them right through JFK."

The New York Times reported that Felix H. Sater, one of the principals of White Rock Partners, a pump and dump firm linked to Larry Ray, "along the way became embroiled in a plan to buy antiaircraft missiles on the black market for the CIA in either Russia or Afghanistan...Gennady Klotsman [a White Rock Partner's principal] said that Sater did obtain information for the United States about another set of black-market missiles, and that those efforts bought Felix his freedom from prison...A federal complaint brought against him in a 1998

money laundering and stock manipulation case was filed in secret and remains under seal. A subsequent indictment in March 2000 stemming from the same investigation described Sater as an unindicted co-conspirator and a key figure in a \$40 million scheme involving 19 stockbrokers and organized crime figures from four Mafia families... At the same time, Sater, Salvatore Lauria [another White Rock Partner's principal] and others sought protection and help from members of the Mafia in resolving disputes with pump and dump firms operated by other organized crime groups. In 1995, for instance, a soldier in the Gambino crime family sought to extort money from Sater. Sater, in turn, got Ernest Monteverchi, a soldier in the Genovese crime family, to persuade Garafola to back off."¹⁹⁹

Edward Garafola, who reigned in his soldier, was the Godfather of the New Jersey construction industry for more than two decades. Garafola is married to the sister of Sammy "The Bull" Gravano. In 2007 Garafola was sentenced to 30 years in prison for the 1990 murder of his cousin Edward Garafalo, who was suspected of cooperating with the FBI. Gennady Klotsman was indicted again in November 2002 for making False Statements Or Entries.²⁰⁰ His sentence remains sealed although Senior Judge Leo Glasser ordered that, "the minutes of the proceeding at which defendant was sentenced are hereby unsealed and made available to Alexei Schacht [Gennady Klotsman's attorney] upon request and at the defendant's expense."

According to *The Scorpion and the Frog: High Times and High Crimes* a book co-written by Salvatore Lauria, Sater and Klotsman cut a deal with the CIA to get off the hook: "Sater was in Moscow where he had arranged the acquisition of [a classified Russian] radar system, then he had been approached about a dozen Stinger missiles... The United States had supplied the original Stinger missiles to Afghanistan when its guerillas were fighting Russia... With the collapse of the

Soviet Union and the end of the war against Afghanistan, at least twelve Stinger missiles were obtained by Osama bin Laden...The CIA was desperate to retrieve the Afghan War Stingers...It was known that bin-Laden fighters were primarily poor people, and would always make a deal. Sater was careful about documenting the Stingers. He could buy them directly from bin Laden fighters in order to return them to the United States. Instead, he used his contact with a KGB agent who claimed he had strong ties with Ahmad Shah Massoud, leader the Northern Alliance. The Alliance was the archenemies of the Taliban. They had old ties with soldiers inside bin Laden's camp who would buy the missiles for money.

“Sater had a photograph of the Stinger missiles and he obtained the serial numbers of three of them to verify their authenticity. Our attorney supplied a copy of this to the CIA, and the agency was fairly well satisfied that our contacts and we could deliver what promised. The deal was a simple one. The CIA would pay Sater and me \$300,000 for each missile. The Russians would buy the missiles under false pretenses, then immediately turn them over to us and, through us, to the American government. There would be profit built into the deal. This was not to be a scam. This as I said was to buy our freedom from our Wall Street misdeeds. The Russians would go to Afghanistan to handle this because that was where the missiles were. They would do whatever was necessary to procure them without tipping off bin Laden that the Stingers were going to the CIA. [According to Lauria the deal fell through when one of the principals asked for \$3 million instead of \$300,000 for each missile] Even the CIA was backing off, though we had bought them the radar system and we definitely wanted credit for that. We wanted it to be used at the sentencing and hoped our lawyers would leverage it into an acknowledgment that we did help the government acquire something needed.”

I attempted to obtain Sater's 1998 case.²⁰¹ The docket sheet stated that the case had been ordered from Lee's Summit National Archives Center on October 19, 2007 and received in Brooklyn on October 23. It was sent back to the Archives on December 7. Ten days later the *Times* piece was published. When I ordered it I was told it was missing. The fact that Ray and Sater were connected to the same firm and the same type of anti-aircraft missile indicated that Ray was telling the truth about his post-9/11 trip to Kosovo.

In late 1997 Ray served as Mikhail Gorbachev bodyguard when the former Soviet leader visited the United States. As a former visiting dignitary Gorbachev was given no Secret Service detail. Retired NYPD Detective James Wood who was indirectly employed and co-opted by Interstate Industrial testified,

A. Ray said he was doing high-level work for the United States Government and the FBI. He said he had – one of his business partners was Mikhail Gorbachev in Russia.

Q. Did you have the opportunity to determine whether or not, in fact, he had a relationship with Mikhail Gorbachev?

A. Yes I did.

Q. Can you tell me how that occurred?

A. Several months after meeting Larry, I think toward June or July, he told me he was going to go with Mikhail Gorbachev to Los Angeles. I had been working on a movie with Robert DeNiro about Russian Organized Crime and I had to introduce him to organized crime experts in the federal government, the DEA, the New York City Police Department and I called up DeNiro and I asked him if he would be interested in meeting Mikhail Gorbachev and Larry arranged a meeting. Robert DeNiro and his wife met in Los Angeles with Mikhail Gorbachev. I do understand that they took pictures and his assistant called and thanked me very much.

Q. Do you know of any other meetings that Larry told you he arranged for Mikhail Gorbachev?

A. He told me he had arranged a meeting with Mayor Giuliani and indeed when I was in Kerik's office there is a picture of Mayor Giuliani alone and then Kerik, Larry Ray and Mikhail Gorbachev.



Q. Was there anything in any of the information he told you about his background in security or police that proved to be untrue?

A. Just the fact that he probably wasn't the security expert that he deemed himself to be. Other than that, I mean I don't know. There was a time that I called Bernie and I said, "Bernie, he talks a mile a minute. Is he okay? Are you sure he is okay"? Bernie said, "Absolutely. I trust him one hundred percent."

Frank Tommaso also observed these photos:

A. Excuse me. I didn't complete my question as to pictures. A dignitary, if you will, Mikhail Gorbachev, and I saw dozens of dozens of pictures with he and Mr. Gorbachev, and his wife with Mr. Gorbachev.

Q. What was his relationship with Gorbachev?

A. I tried to understand it. He told me he provided all the security detail for Mr. Gorbachev when he traveled to the United States. And in fact, he showed me pictures of Mr.

Gorbachev in his car in New York City. In Larry Ray's black Suburban, in his car.

Q. This is after Gorbachev was no longer the leader of the Soviet Union?

A. Yes, that's correct. That's why he said he couldn't get, because he was not the leader no longer, he couldn't get a security detail. He provided it for him and he had gotten tickets for him and his wife and their wives to go to a Disney play, I forget which one, maybe the *Lion King* or something like that, Disney show together. So I thought that was quite unusual, seeing an ex-president of the Soviet Union in the car.

Frank DiTommaso was questioned further about Ray's association with Gorbachev,

Mr. Dion: When he told you that he had a lot of experience in dealing with law enforcement, did he give you any specifics as to what constituted that experience?

Mr. DiTommaso: He didn't get detailed with me, but he did tell me he was doing work overseas for the government, which I knew and was able to validate. He had a strong relationship with Mikhail Gorbachev and his wife.

Mr. Dion: How did you validate that?

Mr. DiTommaso: He showed me photographs when he came in the city. He was a very good friend of Commissioner Kerik. When I was in the commissioner's office...

Mr. Dion: Did he describe for you what he did for Mikhail Gorbachev? At that point I suspect he was out of the government?

Mr. DiTommaso: Yes, this was recent years. If I had to say it was 1997. The pictures were dated or something.

Mr. Dion: What was his relationship?

Mr. DiTommaso: He told me he provided full security for Mikhail Gorbachev when he traveled to the United States and he was in charge of security detail.

Mr. Dion: Were you able to validate that other than through the photographs that he showed you?

Mr. DiTommaso: No, other than the photographs where I saw Mikhail Gorbachev – in his car and his wife and pictures of his wife and Larry's wife. It was a picture in Commissioner Kerik's office with Mikhail Gorbachev and Larry Ray with the mayor.

Mr. Earl Tockman, Interstate's attorney: Which mayor?

Mr. DiTommaso: Our mayor.

Mr. Tockman: I'm asking a serious question.

Mr. DiTommaso: Mayor Giuliani.

Ms. Lee: You saw pictures in Commissioner Kerik's office with Mr. Ray and Mayor Giuliani?

Mr. DiTommaso: Yes.

Mr. Ruvoldt: And Mikhail Gorbachev?

Mr. DiTommaso: Yes.

Mr. Dion: Did you do anything else to --

Mr. Ruvoldt: Did Larry Ray tell you that he had helped arrange for Gorbachev to meet Giuliani?

Mr. DiTommaso: I don't recall. [Daniel S. Connolly, Giuliani's partner, said the former mayor "denies making any request of Bernie Kerik or Larry Ray to arrange a meeting with Mikhail Gorbachev."]

Mr. Dion: Did he have any other kinds of experience in dealing with law enforcement, any kind of checks?

Mr. DiTommaso: Not that I can recall getting specific. One thing specifically that -- you know, there was a lot of innuendo a lot of -- for example, one time we went to ride our motorcycles. Where there was a big rally, motorcycle rally down in Florida. We went to Florida. He parked his trailer and motorcycle in police headquarters in Daytona Beach. Who parks his motorcycle in police headquarters? Then I get invited to Commissioner Kerik's Christmas party Ray and Kerik were hugging and kissing. He works with FBI. He was very vague

but he said he was working on something in Cuba with the FBI. That was something that was going on during his employment.²⁰²

Mr. DiTommaso: He introduced me to people at the Christmas party. I don't recall anybody's name.

Mr. Dion: Whose party was it?

Mr. DiTommaso: It was a Christmas party. Commissioner Kerik's. Had at least a dozen people. I went with Angelo Aponte as well [Aponte was the former New York City Commissioner of Consumer Affairs, New York State Housing Commissioner from 1990 to 1993 and served as Deputy Supervisor of Schools for the New York City public school system. Aponte was then an employee of Interstate Industrial]. People in Jersey, you know, some politicians in New Jersey. Bob Franks was one. Jim McGreevey and a guy named Less Niack. There may even be somebody else that's not coming to me right now.

Ms. Lee: What were the circumstances with the meeting of Bob Franks?

Mr. DiTommaso: Just wanted to introduce me, and he was having a meeting with Bob Franks.

Ms. Lee: And he brought you along?

Mr. DiTommaso: I don't know if it was at that meeting. He told me he was having meeting with Bob Franks and he said, "I want to introduce you." He brought me to just say hello, to introduce me.

Mr. Dion: Jim McGreevey?

Mr. DiTommaso: Same thing. He led to believe they were soliciting him to help with their overseas relationships and whatever he was doing.

Mr. Ruvoldt: I don't know if the record is clear as to who these three people are?

Ms. Lee: Do you know who Bob Frank is?

Mr. DiTommaso: He's running for senator in New Jersey.

Ms. Lee: Do you know who Jim McGreevey is?

Mr. DiTommaso: He ran for mayor against Governor Christy a few years ago and maybe doing again.

Ms. Lee: Less Niack?

Mr. DiTommaso: Again, it was the same. It was a meeting, and he wanted to introduce me to him. It was all great stuff within six months of his indictment. I don't recall what the circumstances were.

Mr. Dion: This was while he was working for you?

Mr. DiTommaso: Yes.

Mr. Dion: Did he explain to you why he was meeting with these people in New Jersey? What was the purpose of his meeting with them?

Mr. DiTommaso: He would say, "Look, you have to meet Bob Franks. He's a great guy. I want to introduce you to him." I go and meet those guys. I know they're prominent politicians in New Jersey. He eluded that he was trying to help some others in Russia. I don't want to blurt out a name because I don't recall if it was one of them or someone else. Again, here he is dealing with government officials. Very credible and prominent politicians. He introduced me to Marine generals and colonels. Told me he was on the phone in my car with General Jones.²⁰³ He's the active commander in the Marine Corp. Probably be the next head of the joint chief of staff.

Mr. Ruvoldt: Did you ever go to Washington with him?

Mr. DiTommaso: Yes, that's where I met Marine Corps General Chuck Pitman, Colonel Quinlan,²⁰⁴ and active Colonel Brickhouse.²⁰⁵ We were treated like royalty.

Mr. Dion: Again, this is while he was in your employ?

Mr. DiTommaso: Yes.

Mr. Dion: What was the purpose of going down to D.C.?

Mr. DiTommaso: That particular meeting he told me to take a look at the commandant's quarters in -- I don't know if it's in Virginia or Washington.

Mr. Ruvoldt: You mean the Marine Corp. commandant?

Mr. DiTommaso: Yes, he spoke with General Goshen. He's moving in there with his wife and the place needs to be upgraded and could you -- it's a historical building the building and see if there's any recommendations I would make.

Mr. Dion: He asked you to go down and basically do him a favor?

Mr. DiTommaso: Yes, exactly.

Ms. Lee: Did you get paid for that work?

Mr. DiTommaso: No.

Mr. Dion: Prior to and subsequent to the indictment of Mr. Ray, did he ever state to you outright or imply that he was working with the FBI in any capacity?

Mr. DiTommaso: That would come up. It would be frequent.

Mr. Dion: Did you get the sense that in the context of those events that he was actually saying those things to you to invite further questions, or was it kind of off-the-hand kind of comment?

Mr. DiTommaso: I don't know. It may have been both. Again, I just didn't get - I didn't want to know. It's not my business. It was something -- it was a building block that validated in my own mind that he was nothing but, you know, a solid U.S. citizen doing work with the government. Just one more of the building blocks. When he mentioned that or introduced me to a government official or city official or law enforcement guy.

Mr. Dion: Again, the fact that he was there to help you oversee, for example, the security company, did you ask them before bringing him on at the time that he was being brought on to do a quick background on him to validate at least some of the stuff that they had represented to you?

Mr. DiTommaso: No, because maybe it sounds -- he looked at the file originally, the first security reports and all and told me that we weren't that great and he wanted to bring in another company to do a more thorough job. I don't know what I'm looking at, but it's a report so I'm assuming -- he said it's different levels of investigation. I never heard of different levels of investigation. I said okay. He said there's this guy Jimmy Woods he's great. He had a lot of credibility. He was involved with exposing bad cops in New York City. A New York City Police lieutenant, very credible. I respected that. I had no idea what he was saying. I said okay.

Mr. Dion: Did he explain how he knew Mr. Woods?

Mr. DiTommaso: No, it just sounded like he knew him well. It turns out that he didn't.

Mr. Dion: Do you know if he had any relationship with him before or after?

Mr. DiTommaso: To my knowledge, he had no relationship before that with him.

Mr. Dion: Did he tell you how he became aware of him?

Mr. DiTommaso: This I found out from Jimmy himself, that he did not have a relationship.

Ms. Lee: The way that he represented it, you believed that he had a prior relationship with Mr. Woods?

Mr. DiTommaso: Yes.

Mr. Dion: Do you know how he became aware of Mr. Woods?

Mr. DiTommaso: Yes, he was referred to Bernie Kerik. I guess it was Bernie Kerik's boss.

Ms. Lee: You learned that from?

Mr. DiTommaso: From Bernie.

Ms. Lee: You learned that from Bernie?

Mr. DiTommaso: It was either Bernie or from Jimmy Woods. I don't remember which one told me first. It was validated later on.

Ms. Lee: You mention as a way of believing that Larry Ray had credibility he was introducing you to city officials, he was introducing you to law enforcement officials?

Mr. DiTommaso: That's correct.

Ms. Lee: In addition to Bernie Kerik, were there any other city officials that he introduced you to?

Mr. DiTommaso: I wouldn't identify them as officials. He introduced me to a guy he identified to me as a narcotics police officer whom I had a conversation with and when I mentioned a guy who I had gone to a friend of mine who I had gone to high school with, he knew who he was.

Ms. Lee: Do you recall

Mr. Dion: In New York?

Mr. DiTommaso: Yes.

Ms. Lee: Anyone other than Bernie Kerik and the narcotics police officer who was a city employee or city official that he introduced you to?

Mr. DiTommaso: Not in New York City.²⁰⁶

The security company that Ray faulted was First Security. Bratton was on the Board of Directors of this firm. On Ray's recommendation Interstate Industrial hired Copstat, a security firm run by James Woods, a retired NYPD lieutenant, to oversee its security concerns. Kerik's federal indictment revealed: "In or about late 1998 through early 1999, Bernard B. Kerik, at a meeting in his New York Department of Corrections office, introduced Lawrence Ray to James Woods a private security consultant, as someone who Interstate Industrial should hire to provide security and other services." Copstat Security, an affiliate firm of Kerik, Bellistri & Associates was founded in 1985 by former private investigator Ronald Bellistri. Bellistri had been assigned to both the NYPD's Organized Crime Division and the Narcotics Division during his tenure with the New York City Police Department. John Picciano, Kerik's Chief

of Staff, who for a time was under investigation for having beaten up his girlfriend and for having pointed his gun at her, was a co-founder of Copstat and a member of Giuliani Partner's affiliates formally called Giuliani-Kerik, now renamed Giuliani Security & Safety to avoid the Kerik Mafia taint. Copstat had interlocking directorates with Giuliani and Partners LLC and was a security firm that sometimes catered to the needs of the mob. What qualified Larry Ray to make this decision for Interstate Industrial?

In 1998, Ray lived in a \$1 million custom home in Warren, New Jersey, with his wife and two daughters. He held interest in several small construction companies and owned a nightclub in Scotch Plains, New Jersey.²⁰⁷ Ray told this researcher, "I invested in one Construction Company and that was in 1999." Ray stated, "By 1998 Kerik asked me to be his best man. It was an important step in their plan in 1998, which has now failed. Their advance planning techniques are effective to most. 'Plausible deniability' was the single most frequent trait in a simple pattern. A common calling card when any bright prosecutor is an active criminal disguised as a prosecutor...The FBI is the best investigative law enforcement agency in the entire world in my opinion. I have worked with the FBI on and off for twelve years and have experience with different agencies in various parts of the world for twenty-six years. The men and women I have worked with at the FBI are honorable, bright, dedicated and well trained. They were told to stand down regarding Giuliani/Kerik. Not what these professional men and women wanted to do. Instead an agency in New York City [the Department of Investigation] did the investigation.

"I knew DiTommaso. We were riding motorcycles a whole bunch one day in the fall of 1998 I didn't even know about his problem with regulators. Had not an inkling of an idea about it. He was real upset after a phone call with his lawyer when we took a break from riding a beautiful day in September

and then he asked me and started to explain to me and I says, 'I don't know how to help you.' 'Well you know a lot of people could you help me you are always a smart guy.' I said 'Frankie I don't how to help you *I already did this did that.*' And I told him, he just wanted me to help him. He said I'll pay you I will hire you. I said 'Frankie don't hire me just because the others investigators don't think. Just because they didn't find it don't think I won't and if I do you have nothing to say what happens with the information. So you really don't want me doing it?' Then what happened was Kerik was the one that really pushed the issue."

The New Jersey Casino Control Commission questioned Frank DiTommaso,

Q. Now, sometime in the **1998** time frame there comes a point where you actually decide to, once again, engage Mr. Ray in a business relationship, is that accurate?

A. Yes.

Q. And can you explain how that came about.

A. Yes, sir. It happened very accidentally...I guess it was sometime around the fall of 1998. I had been in Mr. Ray's company, I don't recall the nature of what was going on, but I had received a phone call and had been with one of my attorneys, we were talking about the situation that was going on between the investigations, the active investigations in Atlantic City by Division of Gaming Enforcement, (the Division) as well as the Trade Waste investigation in New York City. And it was getting kind cumbersome for me to run my business and I was dealing with issues with attorneys on both sides of the river and trying to coordinate this effort myself and it was a frustrating situation. Trying to coordinate what was going on in both states, and it was very frustrating for me...And I guess when I hung up the phone I was frustrated and just talking to Larry, you know, what's the matter, and I explained to him, you know, I was going through licensing issues in both states and it's a

pain, that kind of deal with the attorneys and coordinating the whole thing and dealing with the regulated industry. I had no experience in working the regulated industry and I don't really understand it that well. And I just started venting and he said, "Listen, I know a lot about that maybe I can help you out with that?" And I was like, would you really. It was a breath of fresh air. He said to me -- all this law enforcement and regulatory -- he said, "See me about it. I know a lot about this stuff." He said, "Look, I have a lot of experience with law enforcement I have a lot of dealing overseas, and I know a lot of people in the business. This is one of the things I have a lot of experience in. I think I can probably help you." From that it developed into obviously we talked about the situation in much more detail, as far as what was going on and which ultimately led to me asking him if he would consider coming on board full time so we can get through these issues.

Q. What year is that?

A. 1998.

Q. Can you fix a more specific time?

A. I would say fall of 1998.

Q. Did you decide to have, as a result of him saying that he might be able to do something; did you decide to have a formal meeting?

A. Well, -- no, we didn't have a formal meeting. You know, he and I were sitting in a car and we were talking -- or sitting in a restaurant having a cup of coffee, I don't remember, riding the cycles, I don't remember the exact situation of where we were at the time when we had this conversation. So I began debriefing him in more detail as to what was going on and so on. And at that point in time, that's when the relationship started to develop, as if you want to call it, quote, a business relationship.

Q. Now, from your initial venting about what you were going through until the point where he actually was engaged by

your company, he didn't ever formally come forward and say this is what I can do, he didn't formally come in and present himself to anybody in your company, this was sort of all on an informal basis, is that accurate?

A. Yes, sir.

Q. Now, how did that come about that you actually decided you were going to hire him as a consultant?

A. Well, we had several discussions and he said, let me see if I can figure out why things are taking so long, why the investigations are so obtrusive to your company and detailed and, okay, look, if you can find out what's going on, I appreciate it. So he basically said -- he came back and said I have a very serious perception issue with my firm, that we bought a company that was previously run by bad guys and that it is a perception issue that is very difficult to deal with. To me, I never heard of a perception issue.

Q. In 1998, in the fall, prior to this conversation with Mr. Ray, had he talked about his experience interacting with government with you, had you had conversations about his familiarity with government and abilities to get things done, of that nature? It just didn't come out of the blue, or did it? You tell me.

A. Well, I'm sure you've heard some previous testimony as to my relationship with him, where he's a very unusual type of an individual. And when I was in his presence the many times that went riding and stuff together, he would continually get phone calls from people that he would call colonel, general and yes, sir and no, and I'll be in Washington tomorrow and I'm going to Virginia, and I'll be on a flight to Asia the next day, So it was more of a --

Q. Perception?

A. Perception of innuendo as to he was working for the government and government people.

Q. Were you under the impression that he was with the government in some capacity?

A. Absolutely.

Q. Did he say he was with the government to you in so many words?

A. Yeah.

Q. Did you know which government we're talking about, was it the New York City government, the federal government, was it both, all government?

A. He had mentioned to me he was working as an employee for the CIA.

Q. For the CIA. How about the government of the City of New York?

A. No, sir. That's who he told me he worked for, but he interacted with federal agencies and law enforcement.

Q. And he had a lot of high companies?

A. He had a lot of relationships, and I know the regulatory business.

Q. Did you ask him specifically -- did you ask him what about the regulatory businesses do you know?

A. The CIA's, you know, CIA's job is kind of like spies and things. That's my understanding.

Q. And you also know that that has very little or nothing to do day to day with our regulatory agencies in New Jersey, I can't speak about New York, but I can speak for New Jersey. You would know that, I assume?

A. I have a different understanding now then I did four years ago about regulatory agencies and who dealt and how things were handled.

Q. So at that point in fall of 1998, you decide to actually engage him as a consultant, is that accurate?

A. Yes. We -- well, leading up to that he brought me and introduced me to, as he quoted, his best personal friend, who was then the acting New York City Corrections Commissioner,

who's now the acting New York City Police Commissioner, Bernard Kerik. And I went to meet Mr. Kerik up in his office in New York with Mr. Ray.

Q. And Mr. Ray introduced you at that time?

A. Yes.

Q. What was your observation of the nature of their relationship?

A. Well, when Mr. Ray walked into the office, unannounced, just walked right in, Mr. Kerik got up and came around the desk and give him a big hug and a kiss and they exchanged pleasantries, an he introduced me and Mr. Kerik said, "Frank, I want to tell you" -- he put his arm around Mr. Ray "I trust this guy more than my own brother." We looked at each other with some real blank looks on our face and subsequent to this whole thing it's been difficult.

[The New Jersey Division of Gaming Enforcement contacted Kerik's office to corroborate the testimony of DiTommaso. The Division was informed that while Kerik could not recall his exact words, Kerik could substantiate that he did vouch for Ray to DiTommaso].

Q. Besides introducing you to Mr. Kerik, did he introduce you to anybody else to make you feel comfortable with the fact that he had knowledge of law enforcement?

A. Yes, sir. He had introduced me to some various Marine Corps, Colonel Quinlan, and General Pittman.

Mr. Schwefel: He introduced you to generals?

A. Yes, sir. I was actually in my car speaking to the active commandant in the Marine Corps, General Jim Jones, on several occasions.

Q. Did he ever tell you or suggest to you that had any contacts within New Jersey State government?

A. No, sir.

Q. Never?

A. No, sir...Again, his experience is what he really outlined, that he just dealt with these agencies and dealt with the government agencies. He also introduced me to Colonel Quinlan, a three tour of Vietnam veteran, one of the last Marines who supervised the evacuation. He introduced me to General Pittman another retired Marine General. All quality people within our society...He did, in fact, introduce me to Colonel Quinlan who was a retired Marine Colonel, that Colonel Quinlan and I were going to look to develop a portfolio for contracts with defense or Department of Defense. Environmental cleanup Projects.

Q. Okay. Did he ever suggest to you, besides Mr. Kerik, that he had any contact or any relationship with anybody at the New York Trade Waste Commission or with the New York Department of Investigation?

A. No, sir.

Q. I'm going to ask you very bluntly, did he represent to you at any time they could take care of these problems, that he could get them resolved?

A. He represented to me with no uncertainty that he understood the regulatory industry, and that he could help me work my way through the perception issue. But it's a difficult issue to work through.

Q. My question, did he represent to you at any time that he could take care of these guys or I can fix -- fix -- let me withdraw that word -- but I can resolve this problem for you with the New York City people, I know people, I can get this taken care of, did he say that to you?

A. I understand. He did not.

Q. He simply said, I understand the system and I'll be able to work within the system?

A. Yes, sir.

Q. He didn't say that I could use my influence to get somebody to change their mind or see things, you know, on a more reasonable way or whatever else?

A. No. He just, again, I stress that he emphasized his knowledge of the industry and that he could help me work my way through the perception issue.

Q. Before you actually hired him, did you discuss the decision to hire him with anybody else in your company, either your brother or anybody who was doing any kind of security check for you at that time, or were you comfortable with the extent of your relationship to that point?

A. I pretty much was taking a lead with respect to the investigatory situation with the company. I mentioned to my brother that I was going to bring him on and my brother just pretty much goes along with whatever I would recommend when it came to lawyers and who was going to be hired and so on. He's the only one I believe I conferred with.

Q. You didn't confer with any of your existing attorneys at that time as to whether Mr. Ray should be retained?

A. No, sir... I don't recall prior to his engagement or at the time that I discussed it with anybody else other than my brother.

Q. Just a quick question; did he have pictures of himself with a lot of dignitaries?

A. Yes, sir, there was -- well, dignitaries, I was in Bernie's office and a picture of Bernie, Mayor Giuliani and Larry on the wall together.

Q. Did he ever represent to you, for instance, that he knew Mayor Giuliani?

A. I'm trying to understand what he had said to me, and I want to take it in the present context, knowing somebody and then having intimate relationship or a relationship with somebody is different.

Q. Well, you knew he had a very close relationship with Mr. Kerik, right?

A. That's correct.

Q. And did he suggest to you that he had other close relationships with other members of government in New York City, for instance, and for instance, **Mayor Giuliani**? I'm not suggesting that he had one, by the way. I'm just asking.

A. No, not that I recall.

Q. All right.

The New York City Department of Investigation asked Frank DiTommaso:

Ms. Lee: This Christmas party that you went to at Commissioner Kerik's, was that before or after you hired Larry Ray?

Mr. DiTommaso: Before.

Mr. DiTommaso: December. It was right at that same time, maybe that following week or two weeks later.

Ms. Lee: You think the Christmas party happened and then you hired him?

Mr. DiTommaso: It was right around that time. That just validated whatever he was doing with his law enforcement involvement.

Mr. Dion: Did he introduce you to those people?

Mr. DiTommaso: Commissioner Kerik.

Mr. Dion: By the way, how did you know they were police?

Mr. DiTommaso: I didn't other than him telling me. Everybody was dressed in suits.

Mr. Dion: Did he introduce you to someone -- this is Mr. Ray -- from in the

FBI where -- the person had the ability and knowledge of the fact that they were indeed a member of that organization?

Mr. DiTommaso: I don't recall him specifically saying that to me.

"This is Harold, and that's Earle. Nice to meet you." Later on, those two guys work with the Bureau in this situation or whatever. The party was full of law enforcement people.

Mr. Dion: This was a party where?

Mr. DiTommaso: It was in Manhattan somewhere. It was at a government building. I don't recall.

Ms. Lee: How was it that you went to this party? Larry Ray invited you?

Mr. DiTommaso: No, Commissioner Kerik invited me.

Ms. Lee: You had already established a relationship with Commissioner Kerik?

Mr. DiTommaso: Yes.

Ms. Lee: When did you establish that relationship with Commissioner Kerik?

Mr. DiTommaso: November or so.

Ms. Lee: How did your relationship with Commissioner Kerik get established?

Mr. DiTommaso: I was introduced by Larry.

Mr. Dion: In what circumstances?

Mr. DiTommaso: It was just a cordial -- "I have to run to New York to visit a friend of mine. I'll introduce you." He introduced me.

Mr. Dion: Do you remember where that happened?

Mr. DiTommaso: In Bernie's office.

Ms. Lee: You drove from?

Mr. DiTommaso: Clifton.

Ms. Lee: That point you were in Clifton? You came from Clifton to Kerik's office for the purpose of meeting Kerik?

Mr. DiTommaso: Yes.

Ms. Lee: During the workday?

Mr. DiTommaso: Yes.

Ms. Lee: Did you have reason to believe or suspect that you might get business from Kerik?

Mr. DiTommaso: Absolutely not.

Ms. Lee: It was curiosity to meet the Commissioner of Corrections?

Mr. DiTommaso: Larry was talking about maybe he can help us, and it was just more like we were spending more time together talking about the issues with my lawyers and so on for him to say, "Why don't we take a ride? I have to go meet a friend of mine. I'll introduce you." I asked "Who?" He didn't tell me who his friend was.

Mr. Dion: Earlier you were talking about -- correct me if I'm wrong in how I summarize it -- that you had outlined in your representation in dealing with regulatory agencies and he offered to help you and you availed yourself of his advice.

Mr. DiTommaso: Yes.

Mr. Dion: How did you go from that to actually hiring him?

Mr. DiTommaso: The investigation, it was in full swing at that point in time.

Mr. Dion: Which?

Mr. DiTommaso: Both investigations from New Jersey Gaming Enforcement to the New York City Trade Waste Commission. It was -- there were document exchanging being done between both agencies. There were meetings taking place and interviews with both agencies. We were involved at that point in time at the transfer station still investigating our vendors that were doing business at the transfer station. We were looking -- setting up security cameras at that point in time. Mr. Ray wanted to review the security checks that were being done. He wanted to upgrade the quality of the work that was being done. So he was looking at all that kind of stuff. That's really what his involvement was. I asked him -- I said, "Can you come on full time to deal with this? It's really an intense effort." He said, "I can't come on full time, but I promise I can work on it"...I expected him to work as a liaison between all the attor-

neys and all the agencies. We had document requests from both agencies. We had interviews that needed to be kept.

Mr. Dion: As a result of specific recommendations that he made, did you, for example, terminate your relationships with companies--

Mr. DiTommaso: Yes.

Mr. Dion: Do you recall which ones you terminated as a result of your discussions with Mr. Ray?

Mr. DiTommaso: As far as the companies who are doing business with Interstate, no, I don't recall. I believe most of that was done with Angelo Aponte and myself. However, we did switch security companies as a result of a recommendation from Mr. Ray. We were using a company called First Security. The gentleman's name was Anthony Salano who was the accountant. Police Commissioner Bratton was on the board of that firm. We subsequently moved our security work to a company called Copstat. I believe you met the principal of it, James Woods, at one of the interviews we had where Copstat then took over the security from the transfer station from the guard standpoint, the supervision of the security cameras at the facility and facility as well as doing background investigations...Ray basically asked me who my lawyers were and made a recommendation; I believe he met, when -- the Damon Firm. He said maybe you should look at attorneys that have done Division of Gaming Enforcement work and he recommended them. So I met with their firm. They began representing us at that point in time. So Mr. Ray took a very proactive approach in meeting with the attorneys, especially, it was my understanding they had an intimate relationship with him in working with them in the past and taking almost a lead role in coordinating between the two attorneys -- the different teams of attorneys between New York and New Jersey as to how to handle the issues going forward to try to remove me from the day to day grunt of doing it so I can focus more on my

business issues. So that was one of the focuses. From there it developed into the facility that I own in New York that I thought that was my nemesis, to make sure that that facility was now being in compliance and he was there to work under Angelo Aponte, who we had hired to be the manager of the facility and run the facility and I was to work with Angelo and if the company we were using at the firm, which was First Security Services to put in, install security cameras and make sure the subcontractors were being investigated and no people of any bad background doing business at the facility.²⁰⁸

Q. So it's fair to say you didn't anticipate him displacing Mr. Aponte, you anticipated Mr. Ray would work with Mr. Aponte?

A. Absolutely, with him and under his direction, yes.

Q. Did he know Mr. Aponte?

A. No, he did not...It was very informal as far as I was not getting memos and I didn't set him up with an office or phone or car or secretary or anything. He was basically going and meeting with the attorneys and having discussions with them and then he would go in between whatever else he was doing, I didn't keep tabs on him, to go to the transfer station and meet with Mr. Aponte. At point in time, I believe we had commissioner Kerik's brother [Don Kerik] working and he was running the yard, and Mr. Aponte was running the overall business operation.

Q. Commissioner Kerik's brother came to you after you developed a relationship, you met Commissioner Kerik, I assumed?

A. That's correct. And his brother had been working for, I guess, a recycling business similar to the one in Staten Island. And Mr. Ray talked very highly of the young man.

Q. How was he introduced to you, through Ray or Mr. Kerik?

A. I believe Mr. Ray, initially -- it was both, actually, both together. So I'm sorry, I lost track...It was my understanding that he would give full concentration to the matter, but I didn't limit him to doing the other business and I assumed he would continue doing the other business.

Mr. Schwefel: CIA or whatever else?

A. Exactly.

Q. How did you decide on, ultimately decide a salary, he did collect a salary from you?

A. I just made him an offer. I said, look, to me it was more of a short term, almost like an independent contractor type of a situation, but it wasn't like he was going to be on payroll for ten years or indefinitely, it was a matter of we have to go to a Department of Gambling Enforcement hearing, we have to go to hearings in New York City and we have to get through them successfully. In that time he was going to work for us, I anticipated it would be sometime less than a year at this point from time, and I just offered him a \$100,000 salary.

Q. No health benefits or anything like that?

A. No, sir.

Q. No pension?

A. No. No contract.

Q. When you say no contract, in other words you signed no formal arrangement with him at that time?

A. That's correct.

Q. So there's no writing, there should be no writings.

Mr. Schwefel: I think you've indicated that you've seen no writings in your -- I'm pointing to my colleague, Mr. Lemanowicz. And actually, this is a little unusual. But, Ron, you've reviewed a lot of records, you haven't seen any records.

Mr. LEMANOWICZ: They're requested, I didn't see any.

Mr. Schwefel: You were told there were none?

Mr. LEMANOWICZ: Right.

Q. So you signed, going back to Mr. DiTommaso, you signed no contract, no formal writing with him at any time?

A. That's correct.

Q. Let me ask you this; I know he made representations to you, and I know you also had met Mr. Kerik, but did it ever occur to you that you might need to, you know, check his background out as well, he wasn't, as I understand, he's not an attorney, is he?

A. Not to my knowledge, no.

Q. And was he a licensed insurance broker at some point in time to your knowledge?

A. I never checked that out.

Q. So it did not occur to you then to actually do any background before you actually brought him into your company directly?

A. Maybe it sounds foreign to you, being involved in law enforcement, but being a contractor my whole life and not dealing in regulated industries, doing background investigations was frankly nonexistent. It's not the case today, but that's the way it was back then.

Q. There was, at some point in time, Mr. Ray obtained a -- let me backup a second. Let me ask specifically, I understand from reading prior testimony, that Mr. Ray was paid that \$100,000, part of it was coming from Interstate Industrial and other part of Interstate, Drywall, is that accurate?

A. Yes, sir.

Q. Was it split 60/40, is that your recollection?

A. I don't recall.

Q. Was he being paid actually with payroll checks from them or was he -- do you know, if you now?

A. I don't know.

Q. Let me move on to a different issue. There was a point of time where Mr. Ray obtained a \$350,000 loan, okay.

First of all, was that from the company or you personally, who was the lender of that?

A. As best I can recall, it was done through me personally.

Q. That's your person -

A. That's my best recollection, yes.

Q. How did this subject get broached? People don't normally come up and ask for a \$350,000 loan. How did this come about?

A. It was probably in late 1999; Larry had fully entrenched himself and endeared himself with the firm with respect to handling these matters in New York and New Jersey. And he had come to me with an urgent request that he was involved with attempting to make an acquisition of buying out his business partner in a nightclub restaurant that he had owned in New Jersey jointly with someone else. And that that individual's father was a lien holder of some sort, became terminally ill, and he needed a bridge loan so that he could buy out the partner's father before he died and the whole business would have been encumbered in a state dispute. So it was a very unusual and excessive request. But as I said he stated his position and what he was doing was so personal to my heart with respect to getting this thing done, at this point in time it took on more than a business issue with me *with respect to being licensed in Atlantic City*. It was a personal issue with my family, and my family name. And what I perceived to be a great effort on his part in helping us resolve that, I spoke with my general counsel to look at what the collateral to be and if it was sufficient, then give him the loan.

Q. Your understanding right from the beginning in his representation to you was you would indeed hold a mortgage on the business that was being bought out?

A. Yes.

Q. And your understanding was that you would be in the position of the first mortgage holder?

A. Well, I had instructed my attorney just to make sure we were fully protected legally from, to be able to recoup our loan, which I assume he had done. And to my knowledge, he had an MAI appraisal done on it independently and I believe it was approximately three times the value of the loan as well as gave us first position on the land.

Q. Did you ever do any, either personally or hire somebody, to do anymore investigation on the building, check out whether the nightclub was operating, ask for accounts of the nightclub to decide or whether or not it was a viable concern, did you do any kind of background information like that?

A. It was my understanding at the point in time the nightclub had been closed so it was basically real estate. Again, due diligence was to be done by my general counsel.

Q. So it was just the appraisal, if you will?

A. Basically. I had assumed that would be the lowest factor to go by and the most conservative approach on the value of the property.

Q. Now, my understanding of the repayment terms of this loan, since it was a bridge loan, he was only going to be making interest payments to you?

A. That's correct.

Q. He was going to make interest payments to you starting, as I understand it, in January of 2000. Now, were those payments ultimately made, and what's the status of the loan at this point?

A. He fell, immediately fell delinquent in January and then I believe again in February, at which time I had conversations with my council to discuss with Mr. Ray garnishing his salary to cover the delinquent notes. And he was in the process of having those conversations with Mr. Ray when Mr. Ray became indicted.

Q. Is it an accurate characterization to say that you were distancing yourself from Mr. Ray at this point because you're starting to deal with him through attorneys, was the relationship changing as a result of this loan?

Mr. Smith: Just so we're clear, which time?

Mr. Kimmel: This is late 1999, early 2000 when the loan has been made and the first payment is missed.

A. There was no intentional distancing between us at this point in time. I still had full confidence in his abilities at this point in time. He was working with the attorneys, obviously, and he was working under the direction of Mr. Aponte over at the transfer station and working with Mr. Don Kerik at the transfer station. But he would verbally communicate to me and I would call him regularly to make sure, to see, just to prod it along, how we doing, what's new, what's going on.

Q. Did you get any feedback from all these other individuals; I say other, Mr. Aponte, Mr. Earle Tockman, Mr. Allen Schwartz, [Interstate's accountant] and anyone else with regards to whatever it is that Mr. Ray actually did? Did anybody say to you, for instance, he's doing a fine job, Frank, this is wonderful, wonderful deal that you made or did anybody say conversely, I haven't seen this guy in a year or three months or a month, did you get anything like that?

A. Well, it was kind of like, if you take -- we'll go back to the early part of my deposition and the answer I had given you with respect to being confrontational or criticizing, I think everybody similarly had the same approach.

Q. So your whole crew was basically all non-confrontational people?

A. Diplomatic maybe more of an --

Q. Is it your understanding that Mr. Ray was talking to your attorneys on a regular basis?

A. Absolutely, no. As far as what he was doing at the transfer station, he was more working independently with Mr.

Aponte and not really, wasn't taking, you know, really taking that much of an interest. I just assumed he was being diligent.

Q. How do you know he spoke to your attorneys? Did you know that from the bills you got, or did you assume that or did he tell you he was doing that?

A. It was a combination of things. I was present at some of the meetings. Some of the meetings the attorneys would tell me, they're talking with Larry and this and that. Some of the meetings Larry would tell me he was talking with the attorneys about this and that. So it was a combination.

Q. Did Mr. Ray ever tell you that he was meeting with the representatives of the Division of Gaming Enforcement or representatives of New York City government, did he indicate that he was being proactive, not with your attorneys, but with the actual regulatory agency?

A. Yes, sir.

Q. And who did he say he met with?

A. He had told me he had met with the investigators from the Trade Waste Commission on several occasions.

Mr. Schwefel: How about with New Jersey, if you know?

A. I don't recall him ever telling me he met with anybody from New Jersey.

Q. What did he tell you he was attempting to accomplish by meeting with the Trade Waste people?

A. It was part of the compliance policy in, at the transfer station to make sure that it was being run up to their standards and to discuss, you know, what type of camera systems an surveillance systems would be in place, it was my understanding those kinds of things.

Q. You testified earlier that Mr. Ray said a big part of your problem was a perception problem. Did he discuss specifically with regards to the transfer station that Mr. Garafola was a particular concern to the regulatory agencies and that part of

the perception problem was the fact that Mr. Garafola had some past involvement in the transfer station?

A. Yes, sir. Exactly...I'll use his words that I am a front for Eddie Garafola. He told me that he's a real guy and that law enforcement is trying to nail him for years.

Q. Did he ever indicate to you whether he personally had any type of relationship with Mr. Garafola?

A. No, sir.

Q. Did he deny that or it never came up?

A. Never came up.

Q. So you never asked him point blank? Did you do any business with Garafola?

A. No.

Q. Well, did you ever see them together on any occasion?

A. No, sir.

Q. With anyone of the Garafola family then?

A. No, sir.

Q. Any of his sons or anybody else, you just never saw them together?

A. No, sir.

Q. So were you ever together at any time with Garafola and Mr. Ray where they were both present in a room together?

A. No, sir.

Q. On no occasion?

A. Never.

Q. In addition to the \$350,000 loan, I have information or I have reason to believe that Mr. Ray was also accumulating additional accounts receivable for materials and such things. Are you familiar with that?

A. I am now, yes, sir.

Q. And you are familiar with that now. You weren't familiar with it as it was happening?

A. That's correct.

Q. When did you become aware of this?

A. Subsequent to his indictment.²⁰⁹

What actually transpired was that in late 1998 Frank DiTommaso approached Ray regarding the difficulty that the various Interstate companies were having in obtaining licensure in New York City. Interstate was also having problems caused by the Division of Gaming Enforcement putting pressure on the Casino Control Commission to deny Interstate Drywall a non-gaming casino license. Ray indicated that he might be able to assist Interstate by bribing key officials. Frank DiTommaso decided to hire Ray as the man to deal with security and licensure issues. DiTommaso was convinced that Ray could bribe regulators with ease due to his relationship with Bernard Kerik and with high level military and intelligence personnel. According to Frank DiTommaso, (photograph below) Kerik labeled Ray as a "top shelf guy" and vouched for his good character. DiTommaso knew from his previous dealings in the early 1990's with Ray that Ray was connected. This was why in late 1998 Frank DiTommaso hired Ray at a salary of \$100,000, and subsequently hired Bernard Kerik's brother, Don Kerik, in some other bogus capacity. It also hired several Mafia-watchdogs from the Giuliani Administration. Frank gave Larry Ray \$350,000 to make a payoff in the form of a bridge loan.²¹⁰ The story was that the money was to be used to buy out Ray's partner. The New York City Department of Investigations asked for the name of the partner Ray was buying out,



Mr. DiTommaso: First name was Frank, and I don't know his last name.

Ms. Lee: Do you know the name of the partner's father?

Mr. DiTommaso: No.

Mr. Tockman: Didn't we provide you –

Mr. Ruvoldt: We provided all the loan documents. All the loan documents for the whole deal which have all the names of the partners and who owned it.

Ms. Lee: I would still like Mr. DiTommaso's recollection.

Mr. Tockman: I apologize. I didn't mean to interject inappropriately.

Ms. Lee: When was this loan?

Mr. Ruvoldt: If you know.

Mr. DiTommaso: I don't know the exact date.

Ms. Lee: Did he ask you for the money, or did he ask Mr. Tockman?

Mr. DiTommaso: He asked me.

Ms. Lee: And you agreed to it?

Mr. DiTommaso: Yes.

Ms. Lee: Did you direct someone else in the company to execute the loan and make the necessary agreements?

Mr. DiTommaso: Yes.

Ms. Lee: Who was that?

Mr. DiTommaso: Mr. Tockman.

Ms. Lee: You are now proceeding against him for the money?

Mr. DiTommaso: That's correct.

Mr. Ruvoldt: Foreclosure.

Ms. Lee: Against the nightclub?

Mr. Ruvoldt: Against the property.

Ms. Lee: Against the nightclub's property.

Mr. Ruvoldt: I don't know if I sent you a copy of that complaint. If not, I'll send you a copy.²¹¹

MICHAEL FEDORKO - THE BLIND COMMISSIONER

Evidence suggested that the recipient of the \$350,000 was not Ray's partner despite the paperwork but was really



Commissioner Michael Arthur Fedorko (photo on the left), the head of the Casino Control Commission. This was why he granted the DiTommasos the non-gaming casino license despite *overwhelming* evidence presented by

the Division of Gaming Enforcement that they were mobbed-up and despite an on-going FBI investigation of the DiTommasos. Larry Ray got the no-show job worth 100K plus at least \$60,000 worth of building supplies out of the deal. The Casino Control Commission asked DiTommaso about the 60K:

Q. Let me go back to an issue I touched on briefly, the receivables that had been amassed that you found out about subsequent to the indictment. Could you explain what your understanding of that situation is at this point in time?

A. I guess he had amassed them by calling Don Kerik and requesting material being sent from the transfer station over. The way I'm understanding is, Don just assumed it was okay with me because we all had such a close relationship at this point in time. But I had not known he had amassed that kind of debt, which is presently being pursued by my attorneys.

Q. Do you know how much it is?

A. To my understanding, it's about approximately \$60,000.

Q. That is in addition to the \$350,000 loan?

A. That's correct.

Q. Now, that \$350,000 loan is currently in foreclosure, is that accurate?

A. I guess. Mr. Smith is handling that.

Q. What actually did he do with regards to the \$60,000?

A. He was doing work at his home and I guess he needed -- I can't imagine. I haven't looked at the bills yet. To have \$60,000 worth of material shipped to his house, I really don't know. I haven't looked at that yet.²¹²

Fedorko issued a report that convinced the other members of the Casino Control Commission to grant the license. The Commission was comprised of labor leaders, educators and two law enforcement officials. Michael Arthur Fedorko ignored evidence not only from the Division but also from organized crime figures in the Federal Witness Protection Program. There can only be two answers for this - Fedorko received a \$350,000 bribe or he feels that the Mafia will always be present in Atlantic City and better the DiTommaso's than other Organized Crime members as they are more intelligent and less violent and have been allowed to work on projects for the U.S. Government. DiTommaso testified, "I was looking at the Foley Square Project which is the federal office downtown on Broadway; and I don't recall who did the steel there, if I did it myself or if we used another subcontractor or if Marine or a Buddy Leahy company, in fact, did it."

In return for 350K Fedorko concocted a fairy tale about Larry Ray and the DiTommasos that ignored the facts. The entire report is at <http://yippiemuseum.org/homothug> . Unlike Fedorko, the Division of Gaming Enforcement had no problem concluding that Ray was a fixer: "Ray did not have a title or written job description. He would not receive any other benefits such as a pension or medical insurance. He did not have an office at any Interstate facility. Ray could engage in other business, but was expected by Frank DiTommaso to devote the type of time to Interstate, which a full time employee would devote...No background check was conducted on Ray prior to his hiring. Frank DiTommaso testified that he relied on his

personal knowledge of Ray's character as well as the testimonials of Kerik...As explained by Frank DiTommaso, various Interstate companies faced licensure investigations or inquiries from the New York City Trade Waste Commission ("TWC"), the New York City Department of Investigations (Department of Investigation), the New York City Department of Sanitation, and the New York City Department of Transportation, as well as from the Division...During the course of his employment with Interstate, which would last approximately one and a half years, Ray did not produce any written reports for Frank DiTommaso. Rather, according to Frank, Ray would update him periodically on the progress being made on the various licensure investigations. Ray frequently contacted Frank DiTommaso via cell phone, as Ray did not have an office at Interstate. It should be noted that while Ray was purportedly coordinating the efforts of Interstate to respond to the Division, among other agencies, the Division did not have any contact with Ray. It is our further understanding that other regulatory agencies such as the TWC and Department of Investigation had minimal substantive contact with Ray. This apparent lack of effort by Ray to be in contact with the very agencies whose multiple inquiries led to his hiring, coupled with his lack of any formal presentations to DiTommaso, raise issues as to the process used by Interstate to hire and retain Ray. In view of the fact that Ray, had, according to the indictment, maintained an ongoing relationship with Edward Garafola while employed by Interstate, Ray's employment needs to be further explored at the hearing regarding Interstate's licensure."²¹³

The Division of Gaming Enforcement filled Fedorko in on investigations of Interstate Industrial that Frank DiTommaso failed to mention in his testimony such as those being conducted by the New York City Department of Sanitation and the New York City Department of Transportation. It's investigators pointed out that Ray was not really working for Interstate in a

traditional fashion, where he had an office, wrote reports, contact regulators. It implied that Ray was a connection between Garafola and Interstate and that Ray was not in contact with the agencies he was supposed to be lobbying, but instead had some other means of influence. Frank DiTommaso's stated, "It's my understanding that Ray had direct meetings with the New York City Trade Waste investigators. He met with the Trade Waste guys, so you can probably ask him how he did it. I was not at any of the meetings, so I don't know what he said."

Bernard Kerik and Frank DiTommaso forged their own relationship or had known each other in the past. Emails Lawrence Ray said he received from Bernard Kerik in the spring of 1999 suggested that Bernard Kerik was willing to pass along to Frank DiTommaso inside information on the Trade Waste Commission's investigation of Interstate Industrial, along with details of upcoming city contracts. The Department of Investigation asked DiTommaso about this relationship:

Ms. Lee: Were there occasions where you would have met Commissioner Kerik without Larry Ray?

Mr. DiTommaso: When I would be in the city I would call him, see if he was in, stop by, I liked Bernie. I thought he was a pretty interesting guy. Still do.

Ms. Lee: Do you still have contact with Commissioner Kerik?

Mr. DiTommaso: Very infrequently as a result of all this.

Ms. Lee: Meaning you stopped contacting him or he asked you?

Mr. DiTommaso: It was pretty much mutual. We decided, let's get by all the issues and then we'll resume our relationship after we get things straightened out.

Ms. Lee: Was that in the form of a conversation with each other?

Mr. DiTommaso: Yes.

Ms. Lee: When did that conversation occur?

Mr. DiTommaso: After Larry Ray became indicted.

Ms. Lee: Did you call him or he called you?

Mr. DiTommaso: I'm not sure.

Ray told this researcher and others that he played a key role in resolving the crisis in Kosovo in 1999, while Interstate Industrial ostensibly employed him. Lawrence Ray, "Look at what I did in NATO. All that was going down in Yugoslavia. I gave a few people a copy of an official letter. It's been declassified a long time ago. I am going to post an official letter from NATO thanking me for my work, which led to the cessation of the bombings of the Kosovo Crisis. I had been brought in to the Kosovo Crisis in an effort to avoid the senseless casualties to come in a ground offensive. I feel the Pentagon very accurately estimated anticipated casualties if a ground assault commenced. After talks broke down between the two summit meetings and Madeleine Albright we were sending troops there and because of the terrain the Pentagon said we are going to lose tens of thousands of people at the last minute and it was kind of shock to me because I was working on something that was very hush-hush but anyway then I got sent from Eastern Europe told to come right back here and I was told to stop at Belgium NATO headquarters. After I listened to the intelligence briefing the first night I was in Belgium at NATO Headquarters, based on my analysis I presented a recommendation, which I believed to be the only available option. All in the room with the exception of Colonel Sponbeck [Colonel Leif Sponbeck, Special Military Assistant to the US Ambassador to NATO] agreed with me and asked how do we implement it? I designed and submitted my tactical plan as I saw it. The necessary steps were completed over the next two days and I was then authorized. My first stop in the operation was Moscow."

Welcomed by a cheering mob of Serb residents, an armored column of Russian troops rolled into Kosovo's provincial capital, Pristina, on June 11, 1999 despite Moscow's promises that it would not send its forces into Kosovo before NATO did. However, Russian Foreign Minister Igor Ivanov stated that the surprise entry of Russian troops was an "unfortunate" mistake and that they had been ordered to leave Kosovo immediately. Ivanov said the reason why the Russians moved into the province was being clarified. Was Ray's visit to Moscow connected to the withdrawal of the troops? On June 12, 1999 the withdrawal of Serbian and Yugoslav forces from Kosovo and the cessation of the NATO bombing campaign ended the state of armed conflict in Kosovo. Ray continued, "I accomplished both objectives, the cessation of the bombing campaign and I mitigated the need for a ground offensive, thus avoiding the senseless loss of ground troops...Then think about in that emergency situation what kind of person they would ask to go there. You would have to be able to do something at the very least. They would have to be real comfortable and familiar with that. You'd have to have a pretty damn good history. That's a big item. It's not like they had first second and third choice and said no." Ray's court files include a letter from NATO thanking him for his "efforts to ensure good communication and understanding between the Russian leadership and ourselves" in reaching a deal to end bombing during the Kosovo crisis in the late 1990s.

Although FBI files reflect his help with organized-crime cases in June 1999 prosecutors told Ray that he had held back information in an investigation of a massive mob-run stock swindle. Kerik's indictment revealed, "In or about August or September 1999, Bernard B. Kerik facilitated a meeting between Lawrence Ray and NYC Trade Waste Commission Investigators in his NYC Department Of Corrections office to discuss the investigation of Interstate industrial."

On March 2, 2000, Lawrence Ray, along with eighteen other individuals, was charged in a federal indictment in connection with a stock fraud scheme involving organized crime members. The indictment alleged a "pump and dump" racketeering conspiracy to inflate the price of certain securities. Ray was also the victim in another kind of "pump and dump." The FBI pumped him for info then dumped him. Ray, "And what happened was when I was told in 1999 that I was subject to investigation I went down to the Pentagon six o'clock the next morning to brief the commandant of the Marine Corps and other people. We had a meeting with the CIA later on that morning. I was told I was the subject of investigation the day before. The only reason I got probation was because the CIA and the Pentagon got involved. Most people know that in the investigative journalism area they knew that for a couple of years already."

Lawrence Ray was charged with having paid a \$100,000 bribe to an official at a brokerage firm to secure bonding for a construction subcontractor called U.S. Bridge of New York. Lawrence Ray, who had cooperated with investigators for three years, was charged with conspiring to obtain this bond for a Gambino front company. The indictment read, "In or about and between June 1995 and July 1995 the defendants Lombardo, Polito, and Lawrence V. Ray and others caused an employee of the bond brokerage company to send a letter dated July 11, 1995 to United States Bridge in Queens, New York. It was further part of the conspiracy that prior to United States Bridge New York (USBNY) Initial Public Offering (IPO), the defendants Polito and Lombardo, and others, took steps to make it appear as if USBNY would use the IPO proceeds to obtain bonding that would enable US Bridge to act as general contractor on large scale construction projects. The (?) parties agreed with Polito, Lombardo and others that Ray would secretly pay one hundred thousand dollars to an executive of a

bond brokerage firm to facilitate the issuance of bonding after the IPO.”²¹⁴ After Ray and 18 others were indicted DiTommaso and Bernard Kerik dropped him. In a November 2001 e-mail exchange, Ray reached out to Kerik for help, "I am sorry I have to burden you with any of this at all. But I need you and my family needs you. I have done my best to keep you out of it all along...As a friend I was mindful of the sensitivity of your position...Now I need you as a friend to do nothing more than be willing to state the truth as to the things that you do know." Kerik replied, "In the event that I am called to testify, I must tell you that my recollection of the events is not consistent with what you remember. And this would have a severely negative impact on your credibility.”²¹⁵

Ray claimed this was all part of a frame up: "I made the case to begin with for them in 1996. I am talking about their allegation of what I was involved. Anyway Gary Uher fixed all that up. Uher was Kerik's assistant not only at the Department of Corrections Passaic, but way back in the Passaic days [Kerik was warden of the Passaic County jail from January 1986 to July 1986]. And Kerik got him the job at the Bureau when they left there. Plus Kerik's brother Don had told me that Kerik and Gary were beating up the prisoners. They had like business going on at the Passaic County jail and things were like getting hot. Don left before (unintell). Don was seeing through the perspective there like crazy. When they could not buy me, or my services, they decided to ruin my credibility, starting by framing me in a Federal indictment in March 2000, based on a report by Bernard Kerik's best friend Special Agent Gary Uher who I briefed on their criminal activity in 1998."

Ray told *The Washington Post* that he had told the FBI and U.S. attorney's office as early as 1999, as he tried to stave off indictment, that he had incriminating information about Bernard Kerik. Was it Ray's snitching on Kerik that caused his indictment in the first place? After his guilty plea in 2001 and

his sentence of probation, Ray kept snitching out Kerik and he told the FBI that Kerik had agreed to help Interstate Industrial try to win city business despite their alleged ties with organized crime. "They knew 100 percent of it. There was no way they didn't. I was driving the ball on that."

Ray: "Polito was part of a company [U.S. Bridge] that was part of the pump and dump. The charge was that I had knowledge that they were going to do a pump and dump and I tried to get them an insurance and bond program. That's how weak it was." *Business Week Magazine* reported that according to a informant who said he traveled to Europe to set up the accounts there, this scheme started in 1995 as an attempt to enrich a mob front company called White Rock Partners who were the principals in the initial public offering of an obscure Corona Queens (N.Y.) construction company called U.S. Bridge of N.Y. Inc. The informant told the FBI that the principals of White Rock "paid stockbrokers to aggressively promote U.S. Bridge stock." The White Rock principals cashed in their stock at inflated prices. U.S. Bridge's president, Joseph Polito Sr., vigorously denied knowledge of the wrongdoing alleged in the FBI affidavit. Polito who was the de facto president and director of U.S. Bridge of N.Y. Inc. since its inception in 1990 and prior to April 1994 was the sole shareholder of the Corporation.²¹⁶ Polito was the Chairman of the Steel Institute of New York, Co-Chairman of the International Union of Structural Ironworkers, Locals 40, 361 and 417 Union Fund and a current director and past president of Allied Metal Building, an industry organization authorized to negotiate with the structural Iron Worker Local 40 and 361, Operating Engineers Local 14 and Local 15a and 15d, Cement Masons Local 780 as well as chairman of the negotiating committee solely for the structural engineers. Polito was a member of the safety committee for the City of New York, Building Trade Employers Association.²¹⁷ The firm subsequently changed its name to USA Bridge Con-

struction of New York. Its stock, which traded at \$11 in late 1996, has fallen below \$1.²¹⁸

Co-conspirators in the pump and dump included Bonanno Family member Eugene Lombardo, Daniel Persico the nephew of Colombo Family Godfather Carmine "The Snake" Persico," and Frank Coppa Sr. a Capo in the Bonanno Organized Crime Family. Frank Coppa, Sr. had an arrest record in New York State ranging from 1962 to 2000.²¹⁹ Other co-conspirators included, Ernest Montevecchi an associate of the aforementioned Felix Henry Sater. A National Association of Security Dealers complaint charged White Rock Partners former Chairman and Chief Executive Officer, John Doukas, also named in the indictment, with several violations committed while at White Rock Partners. Specifically, Doukas was alleged to have put in place or enforced a "policy" that prevented some customers from selling specific securities from their accounts. The alleged violative conduct occurred principally in three securities that the firm had underwritten and included U.S. Bridge of N.Y., Inc.

Alfred Palagonia, also named in the indictment, was the highest-earning salesman among the D.H. Blair registered representatives, personally generating as much as \$13 million in gross commissions in one year. Palagonia was not licensed to act as a supervisor, but in fact he supervised members of the D.H. Blair sales force and directed their illegal activities. More than 50,000 customers invested with D.H. Blair & Co., Inc. during the period of the existence of the D.H. Blair Criminal Enterprise. Many suffered severe economic losses as a result of the criminal conduct of the enterprise. For example, a 56 year-old disabled man from Colorado lost approximately \$150,000 from a disability settlement upon which he relied to pay for medicine and other living expenses; he was given false price predictions and so-called "inside" information which did not pan out.²²⁰

Edward Garafola was also named in the indictment and was accused of attempting to extort the money necessary for the \$100,000 payment for the bond from another party. As a result Frank had to dump Larry Ray because Larry was a link between him and Garafola. Frank DiTommaso was asked,

Q. At the time of his indictment, you terminated your business relationship with Mr. Ray, is that the same day or the next day?

A. It was immediately subsequent, yes.

Q. And was that your decision or was that on somebody else's advice?

A. It was my decision. Obviously, I knew it was not a good thing, and it was my decision. I discussed it with my attorneys, everybody concurred that we needed to terminate our relationship eminently.

Q. I assume, since the initial engagement of him was informal, there was no sort of severance payment or anything else to Mr. Ray?

A. That's correct.

Q. You just told him and followed it with a letter that the relationship was over?

A. Yes, sir.

Q. Is there any social relationship at this point in time?

A. No. I have not spoken to Mr. Ray since then.

Q. Did he ever explain to you what actually his position was on the charges, did you speak to him after the indictment?

A. Yes, sir.

Q. One occasion or more than one occasion?

A. Several times I think immediately following it.

Q. And since those conversations, it's your position, it's your testimony, that you haven't spoken to him?

A. That's absolutely correct, with the exception of one phone call which I made inadvertently to him, maybe it was a month after, a few weeks after. I was dialing in Nick DiTulli,

they have a very similar phone number, and I just dialed Larry's instead of Nick's. So he picked up the phone. When I realized it, I hung up and then he had my number on the caller ID, called me back. And I just said, you know, how you doing, sorry I called you, I meant to call Nick. That was it. It was a brief, maybe 30 second at the most conversation.

The hearings revealed a Garafola, Ray, DiTommaso connection:

Q. So you did speak to him subsequent to his indictment?

A. Yes, sir.

Q. And did you talk about the indictment with him or did he tell you anything at that time?

A. Briefly, yes. I mean -- yes. It was kind of like, what the heck happened, you know, and he said that, well, he was working with the law enforcement people, I don't recall who he said he had been working with and talking with, and they were so adamant that Garafola was involved with me in some way and that he was so adamant in refuting those allegations that they thought he was involved with my firm, that he was being in some way uncooperative, not telling the entire truth, being fully truthful with them and that was the reason that they implicated him in the matter.

Q. Did they discuss the substance of what the matter was?

A. No, sir.

Q. Did you ask him?

A. No.

Q. But you knew it did involve Mr. Garafola in some capacity?

A. Yes, sir.

Q. This indictment was the first you knew that Mr. Ray had any kind of relationship with Mr. Garafola?

A. Yes, sir.

Q. Did you ask about the nature of his relationship with Garafola at that point in time after you learned of it?

A. He had briefly, in this same context, told me at some point many years earlier that **Garafola had wanted to get some kind of bonding from his company and he had put the paperwork there.** And it was denied by home office and they never did any business. That was it.

Q. Did you ever have any further discussions as to the nature of his relationship with Garafola?

A. Not with -- no, I have no more conversations with Mr. Ray about that.

Frank DiTommaso was questioned by the New York City Department of Investigations:

Ms. Lee: Did Ray state to you that he knew the name Eddie Garafola?

Mr. DiTommaso: He -- it seemed like he did know the name. He said he's a bad guy.

Ms. Lee: Did he say whether or not he had any dealings with Eddie Garafola?

Mr. DiTommaso: No, he never mentioned that he had dealings with Garafola. That's why when the indictment came down it was a blow.

Mr. Dion: You don't know that before the indictment came down that he had any kind of relationship with him?

Mr. DiTommaso: No

Mr. Dion: How did you become aware of the indictment?

Mr. DiTommaso: Larry called me.

Mr. Dion: He called himself?

Mr. DiTommaso: Yes.

Mr. Dion: Was this at home or at work that he called you?

Mr. DiTommaso: Probably -- I don't know. He calls me on my cell phone.

Ms. Lee: Was he already indicted at the time that he called you?

Mr. DiTommaso: I believe he was either on his way there or on his way out. I don't remember.

Ms. Lee: What do you mean "on his way there"?

Mr. DiTommaso: To surrender, to be arrested or on his way out after being arrested.

Mr. Dion: What did he tell you about the indictment?

Mr. DiTommaso: At that time?

Mr. Dion: Yes.

Mr. DiTommaso: He didn't get into specifics. Said that -- he obviously denied any involvement with it. I guess it must have been after the indictment because he told me that all the people he was arrested with, he knew two of the people. One being Eddie Garafola. He said that. He told me that.

Mr. Dion: Did that come as a surprise to you that he said that?

Mr. DiTommaso: Yes.

Mr. Dion: What did you say to him?

Mr. DiTommaso: Well, he was doing most of the talking; and he was saying that -- you know, he said because he thinks because he was trying to help me with the fact that my perception issue, that I'm involved with Eddie Garafola and that a company -- he had a company that years ago he had been involved with was involved with Garafola or tried to get insurance from him years ago that was involved with Eddie Garafola, that they thought he was hiding something from the law enforcement guys. That was his explanation to me. I said, "Larry, how could they correlate anything with my buying my transfer station, you trying to help me?"

Mr. Dion: He was telling you the reason he was indicted was because of assistance that he was trying to provide to you?

Mr. DiTommaso: Indirectly, yes. I mean indirectly, yes. It's bizarre. This is what I was trying to pick out on the phone; but he was saying that, I guess, when he was in the insurance company business a company had solicited him to provide insurance and bonds and he designed a company that Eddie Garafola was involved with. Because of that and then he's trying to help with my perception issue, that I was -- is that I was involved with Eddie Garafola and that he knew more than he led law enforcement to believe and subsequently he was indicted.

Mr. Dion: Did you have any subsequent conversation with him?

Mr. DiTommaso: I would say the first couple of days after he was arrested. We had some conversations and immediately consulted with my attorneys, and they recommended that we cease all contact with Mr. Ray.

Mr. Dion: At that point at which you were advised to cease contact, how many conversations approximately did you have with Mr. Ray?

Mr. Ruvoldt: Post-indictment?

Mr. Dion: Post-indictment.

Mr. DiTommaso: It could have been a half dozen. He was crying on the phone.

Mr. Dion: He called you?

Mr. DiTommaso: Yes.

Mr. Dion: Did you ever call him, or was he the one who was initiating the contact at all times?

Mr. DiTommaso: I'm pretty sure he called me. At this point in time, if you can understand, there was a short period of time that we started spending a lot of time with the attorneys and talking about the firm and the company. There was a lot of time spent. I have the bills to prove it from the attorneys for bills for meetings. Then this came out of the blue and he called me

up crying, literally crying. He kind of alluded to the fact that it was because he was helping me. He was crying.

Mr. Dion: Did he elaborate on that at all? Did he elaborate either on the facts of the indictment or why he thought he was being prosecuted?

Mr. DiTommaso: No, other than what he talked about, what I just explained to you. That's the entire explanation that he gave to me.

Mr. Dion: Did he say that he didn't know that Eddie Garafola was connected to the company that he was providing --

Mr. DiTommaso: He didn't say did or didn't.

Ms. Lee: He did apologize to you for not telling you about his involvement with Eddie Garafola before he came on board with your company?

Mr. DiTommaso: No, he did not.

Ms. Lee: Did you say to him, "Larry how could you do this to me? How come you didn't tell me that you knew Eddie Garafola?"

Mr. DiTommaso: It was a very strange period. You know, you're only talking a few days kind of thing. Immediately after that, I mean the next day, that morning I get a call from the Gaming Commission wanting to interview me. I had -- to -- terminate my relationship with him. I terminated his employment. I was like -- I was getting barraged with all this stuff. Trade Waste. He was everything was starting to happen. Larry was involved with dealing with the attorneys. I'm running my business. The next thing you know, I have a confidant of the company, a guy that we pulled out to the law enforcement guys, here's a guy that's one of you. He'll do whatever you tell him to do. Now he gets indicted. You have no idea.

Ms. Lee: That's why I'm asking: Did you say, "Larry, how could you do this to me?"

Mr. DiTommaso: I would have if I was able to have a conversation with him now or weeks or a month after this

happened. The initial conversation, the man was crying to me on the phone about his innocence and "I could go to jail and my wife is having a baby" and his mother-in-law was dying.

Ms. Lee: You were more sympathetic than angry with him?

Mr. DiTommaso: Yes. Well, I was both. I was holding my own anger back to you know, I can't imagine what it would be like to go through something like that. It doesn't sound like it's something anybody wants to go through.²²¹

After his indictment, Ray's family disintegrated. His daughter allegedly had this to say: "My father spend six months in federal prison for failing to respond to a court order mandating the transfer custody of my sister and me to DYFS (New Jersey Department of Youth and Family Services) a court order neither he nor his lawyer was ever served; I was forced to spend ten months isolated in a homeless shelter, and my sister was placed in the custody of our mother who sexually abused us both."²²² Ray explained, "I am the one who exposed Giuliani and Kerik in November 2004 to the *N.Y. Daily News* reporter Russ Buettner. No one else did. What happened afterward is interesting because my life started to go to pieces. They subsequently attacked my two minor daughters, Talia and Ava in a gruesome manner. They got my ex-wife to go along because she coincidently had her own tragic secret to hide so it served her purpose. My two little girls and I have paid an unimaginable price and still are. Hurting my children is more painful than every other tactic they used to discourage and / or stop me in their effort to make sure I did not expose what I know... What it was a total frame-up. Kerik aligned himself with my wife in 2004 and Giuliani and his whole camp and he used the family court against me. It's a malicious coincidence that my wife had sexually abused my children; I didn't find that out till August 1, 2005. I was arrested starting in March 2005 over 20 times by Somerset County New Jersey. They did something totally

illegal. On November 11, 2005 in Somerset County the family court judge trumped up that there was another Temporary Restraining Order to protect my daughters – two children - from my ex-wife and her family but the judge ignored it, which she didn't have the power to do. She then ordered visitation on November 16 for my little daughter. The pick up and drop off point was the police station in the town of Warren. On November 15 my little daughter Ava, who was in Kindergarten, got upset and scared of going with her mother. I had custody of two kids; my wife has been an absolute abuser. And when we got married she told me her father abused her right before the wedding. You learn things in families; there's no doubt she's an abuser. Ava goes in and tells the teacher and tells the principal. I recorded the principal on November 15, 2005 telling me and we went to court trying to stop visitation the next day again. And the judge says, 'I don't care she gets visitation!' When on November 16, 2005 when she got picked up by her mother and her mothers' two sisters and they brought her back and dropped her off at the police station at 7:40 PM at the police station Ava had been beat. Her face was swollen and red on one side. And the police did another investigation issued another TRO. This whole thing is so easy to dig through. Somebody has just got to start digging it. That's gonna back you right up and will go to Giuliani and beyond. Everyone felt safe in New Jersey because they couldn't get anyone to do anything. The US Attorney's office, Christie's office, because it comes down from [United States Attorney General] Alberto Gonzales to screw me...The President of New Jersey Senate Donald DeFrancesco stole my liquor license. I owned a liquor license since 1985 and when I went to renew it he stole it. He basically gave it to a guy named Dominic Caruso. The Warren Township police broke into my home with no search warrant. In preliminary discovery we got the dispatch report and it says right there, 'no search warrant.' I

caught them breaking in and going through my whole house with my wife right there. We took the evidence went to the FBI the FBI loved it ran with case and a bunch of other stuff, I recorded the township prosecutor in Warren telling me it is the Republican Party line to destroy Larry Ray. She was told that in 2004. Before I even knew her. It is just common sense. They want to keep me quiet and they don't want me to say certain things. They wanted to make sure they can even get rid of me destroy my credibility."

Ray filed a civil suit against those responsible for the search, "On June 17, 2005 the Defendants claim that Teresa Ray called the Warren Police Department purportedly regarding the enforcement of a civil visitation order. Upon entering the property, the officers...entered Plaintiff's premises and looked for a way into the Plaintiff's home. After approximately four minutes of looking for a way in, the Defendants broke into Plaintiff's home through the back door by sliding an object under the door thereby removing a piece of wood that was in place as a lock on the door. Although Defendant officers later claimed they entered though an unlocked door, said claim was an intentional misstatement of the actual event. The Defendants did not have a search warrant to enter Plaintiffs home. There were no exigent circumstances that would otherwise have justified the unlawful search. Defendant police officers allegedly contacted Defendant Judge Richard Sasso, and obtained an 'oral search warrant' purportedly permitting the search of the residence...Defendant police officers spent approximately ten to twenty minutes in the home, searching through the entire home, including rifling through the personal drawers in Plaintiff's bedroom."²²³

The prosecutor in this case, Michele D'Onofrio, concluded that the police search of Ray's home was illegal and recently was interviewed by the FBI about the search. D'Onofrio was a partner at former New Jersey Governor

Donald DiFrancesco's firm for six years, who said DiFrancesco sexually harassed her, and then fired her when she filed an ethics complaint against Warren Township Municipal Court Judge Richard Sasso, a friend of the ex-Governor, for drinking on the job. Ray also claimed that Sasso was instrumental in altering the police reports about the search the next day. Ray continued:

"When I went into high gear this year on it in the summer of 2006 because they won't leave me alone. I needed to neutralize them because they are the ones getting in the way of my getting any kinds of protection of my civil rights in New Jersey. The divorce was just used as a weapon. My wife has ended up having an affair with my ex-brother and they gave my ex-brother business. People are not looking in the right place the first one to look into Somerset is going to not only follow it up to Giuliani but right through. A few months ago Giuliani tried to make a deal with me. Basically I get my kids back and I don't kill him in the press. He did it through Ninfa Segarra. She used to be the First deputy mayor. Very close to Rudy... The thread of conspiracy runs from President Bush, V.P. Cheney, Antonio Gonzales, Mike Chertoff, Rudy Giuliani, Frank and Peter DiTommaso, Bernard Kerik all the way down thru Judge Thomas Dilts, Judge Julie Marino, Judge Anne Bartlett, the DYFS office in Somerset County Court, Union County Prosecutors Office, Livingston two and others in New Jersey who continue to harm my two children in the effort to harm me so I will not or can not expose the truth and/or testify. I will not rest until all responsible are exposed and charged for their crimes."

In the spring of 2007 Ray's lawyer, Sidney Baumgarten, told Ninfa Segarra that Ray was embroiled in a bitter divorce and custody dispute over his two daughters. Baumgarten said he told Segarra that Ray possessed "damaging" information about Giuliani but that he would not go public with his allegations if he could receive help with the mounting legal troubles.

"That was the implied *quid pro quo*," Baumgarten told *The Washington Post*. The following day, Baumgarten received e-mail from Segarra advising Ray to call an acquaintance of hers, a "political heavyweight" lawyer who could assist Ray in the custody dispute in New Jersey. "For now I would ask not to identify me as the referral," Segarra wrote in the March 5, 2007 e-mail. Ray never acted on the referral. Instead, he reported it to the FBI, wearing a wire to record his friend recounting the referral.²²⁴

Brigadier General Sidney Baumgarten is former Chief of Staff of the Army Division, New York Guard, and currently serves as an advisor to the Adjutant General of NY State. He has served continuously in the US Army, Army Reserves, Army National Guard and NY Guard since graduation from Brown University. Baumgarten served as Deputy Mayor of New York City during the Abe Beame Administration. Giuliani appointed Baumgarten Chief of Staff during the World Trade Center emergency. Baumgarten is an expert in terrorism and counter-terrorism as well as biological warfare. In civilian life, Baumgarten is CEO of a biotech company.²²⁵ On the negative side Baumgarten was disbarred because the amount in his escrow account fell below what he should have been holding; at times the escrow account had a negative balance; he had used escrow funds to pay his own expenses; and the commingling was done in an effort to avoid liens by the Internal Revenue Service.²²⁶ His license to practice law was recently restored.

Ray was convinced that many divergent people were part of a conspiracy against him. There might be some truth in what he is saying, however, there were other reasons for his downfall. Ray claims DiFrancesco stole his liquor license before he was convicted of a felony but even Ray's publicist wants to steer clear of this allegation. He lost his property because either the DiTommaso's foreclosed so that the cover story that the pay-off money was really a loan would hold water

or the federal government seized it. As for the twenty arrests while on federal probation or out on bail – if this was the case he would have been remanded much sooner than he was. His marital problems stemmed mainly from a messy divorce that included charges of child abuse, “Then Union County prosecutor, child abuse prosecutor who interviewed my daughter after she comes out with the news about the sexual abuse, which is such a tragedy because here some kid comes out with it and then the other child. That is a bold step. Union County, we went to see them because we lived there till my daughter was eight years old. Esmerada, a child abuse prosecutor and his specialized team interviewed my daughter for over four hours that night in August. The next morning they started four criminal investigations. And you wouldn’t think they got it wrong. They are one of the most experienced groups in the State. And within four weeks he was in a panic because Ed Ramanko, through his boss the Country Prosecutor was pressuring him. He told him to drop the investigations. That was like the third week in September. Two weeks later he accepts polygraph results. First of all if you did that in a civil case you would be sued for malpractice never mind criminal investigation. He sent poly results from Tony Pope out of Newark who was then my wife’s lawyer and Bonanno’s lawyer who is a known mob attorney real good friends with Joseph Tacopina - Kerik’s lawyer. How did my wife get to Tony Pope? They are about to get beat - well basically the Bureau is on my side. There’s a fight going on now between them and the US Attorney’s Office. Cause the US Attorney office when the Bureau ran in with the evidence of a bunch of crimes that were committed against me.”

Ray, who could have ended up a national security advisor to Director of Homeland Security Bernard Kerik, had this to say about 9/11: “It became clear to me that there existed a very dedicated effort to execute a large-scale terrorist attack on the

United States. None of us knew at the time in 1994 the attack would come to be known as 9/11. My effort since to expose the truth has been unnaturally difficult, unnaturally long and unnaturally costly. The American terrorists; the very corrupt Bush/Cheney White House, and many corrupt politicians and officials such as Gonzales, Chertoff, Giuliani/Kerik, and Wolfowitz to only name a few..." Ray seems to be implying that 9/11 was a result of malfeasance. He said this in regard to Dick Cheney, "We had been working in the Eastern European Region and in 1994...I discovered in my work in Eastern Europe during the Bush Sr. Presidency regarding activities of Dick Cheney and the whole criminal enterprise. Their dirty business in the Middle East: opium. Not just Afghanistan part of that went through Burma part of that went through Pakistan in the late 80's early 90's." Was this money used to subsidize the Taliban? Was Larry Ray a conspiracy buff? If so how does one explain his social connection with all the military brass? How did he manage to con these men who have access to security checks? Why was the FBI using him to spy on the mob? It was Ray who began providing New York authorities with evidence of Bernard Kerik's wrongdoing in December 2004 when he was nominated for the post of Homeland Security Secretary. Ray turned over voice recordings, e-mails, photographs, city documents and other items outlined in a 33-page roster of evidence obtained by *The Washington Post*.

In July 2007 a warrant was issued for Ray based on a complaint of a second probation violation: "The Probation Department has alleged that the defendant violated the terms of his supervised release by: (1) stealing a car; (2) assaulting his girlfriend; (3) refusing to provide a DNA sample; (4) failing to report to his Probation Officer; (5) failing to work; and (6) resisting arrest: "At a status conference on July 11, 2007, the defendant indicated that he was in contact with unspecified FBI agents. As the Court directed, counsel to the defendant has

identified FBI Special Agent Brian Ginter as an agent with whom the defendant had contact, and the government has ensured that Special Agent Ginter will be present at the violation hearing. However, while the government does not dispute that the defendant has spoken to the FBI, it is not apparent that Special Agent Ginter possesses any information relevant to this violation proceeding. Thus, the government objects to the calling of Special Agent Ginter, or any other federal agent, unless the defendant can provide an offer of proof explaining how his contact with FBI agents is relevant to the allegations set forth in the Violation of Probation Report.

“Should the defendant plan to pursue a defense of public authority, he would have to demonstrate that Special Agent Ginter possessed actual authority to allow the defendant to commit the above-referenced crimes and to alter the conditions of his supervised release...Because the conditions of the defendant's supervised release require any cooperation with the government to be authorized by Your Honor, Special Agent Ginter lacked actual authority to authorize the actions taken by the defendant. In any event, the defendant has not even suggested, to date, that Special Agent Ginter authorized any, let alone all, of the violations in question. Thus, the public authority defense is inapplicable and the defendant's request to call Special Agent Ginter should be denied absent some further showing.”²²⁷ Ray was declared a fugitive, even as Ray continued talking to and e-mailing the FBI. U.S. marshals spent weeks tracking Ray's cellphone traffic across New York, with agents working 24-hour shifts until they caught his signal in July in an apartment on the city's Upper East Side.²²⁸ Five marshals burst in, pinned him to the floor and handcuffed him, breaking his arm. Inside, they found two computers, six cell phones and photographs of Kerik. Ray told Senior Judge Leo Glasser, “Your Honor, when I was arrested Wednesday, they

broke my arm, my ulna is broken in half, I am waiting surgery on -- now it's scheduled for Monday. I would also just ask -- don't want -- I mean I can't even move my arm. If I move it an inch, the bone starts rubbing together. It hurts. So I would just ask that nobody do anything to interfere with my medical treatment. I want to just remain in the hospital until I get my surgery." As they hauled Ray away to Metropolitan Detention Center in Brooklyn, one marshal recalled hearing his 18-year-old daughter scream, "Police corruption! This is because of Mayor Rudy Giuliani and Bernard Kerik!"²²⁹ In January 2008 Judge Glasser released Ray, having sentenced him to time served. Thinking he was out of jail, I called Ray's cell phone number. His daughter Talia told me that when her dad was arrested he was not resisting. Police had beaten up Ray on another occasion when Ray believed the police were manhandling his daughter Ava. She also said that her father was now incarcerated in Riker's Island since a prosecutor from Somerset County appeared at his hearing and told Judge Glasser that there were outstanding warrants on Ray. He was sent to Riker's pending extradition to New Jersey. Talia referred me to former New Jersey State Senator Alene Ammond. Ammond had prepared an 8-page letter to the New Jersey Attorney General that asked that they appoint a Special Prosecutor to



take over all of the cases against Ray in Somerset County, New Jersey. Ammond wanted the Attorney General to look into the warrantless search of Ray's home approved by "an inebriated judge." Ray filed a federal lawsuit in December 2007 alleging the older daughter had

been the victim of sexual abuse. That suit was dismissed in March 2009. Ray was indicted in January 2009 on charges of interfering with a child custody order in November and December 2005 by a Somerset County grand jury. The charges related to an incident while Ray and his wife were going through divorce proceedings. Ray he pleaded guilty to charges of interfering with a child custody order in November and December 2005 and jumping bail. A plea deal was arranged wherein he would serve three years in State prison. Ray said he was trying to protect his children from sexual abuse by their mother.

BERNARD KERIK - IN BED WITH THE MOB

Born in Paterson, N.J., in 1956, Kerik's mother died when he was a toddler - bludgeoned to death by her pimp in a whorehouse. Raised by his machinist father, Bernard dropped out of high school and became a martial arts black belt. He would later get a GED, but first he entered the Army, where he worked as a Military Policeman in Korea in the mid-1970s. In 1976 he accepted a demotion in Korea from corporal to private first class rather than face a court-martial for breaking a soldier's middle finger. There he fathered a daughter with a South Korean woman. The baby, named Lisa, was born in 1975 and was abandoned by her father when Bernard Kerik left the country in February 1976. Lisa immigrated to Canada and became an educator. Bernard Kerik got a security assignment in Saudi Arabia but was expelled from the Kingdom in 1984 after a power struggle with the head of a hospital complex where he helped command the security staff. Kerik used surveillance and other techniques to investigate employees' private lives, which he said was necessary because of Saudi laws prohibiting drinking and mingling of the sexes in public.

Returning to the US, Kerik became an undercover narcotics cop who lived in Greenwich Village, sported a ponytail and arrested numerous hippies for selling marijuana. Then he became Giuliani's bodyguard and driver. Soon he was in charge of security for Giuliani's re-election campaign. Kerik worked under Correction Commissioner Anthony J. Schembri who insisted that the Giuliani Administration's plan to cut the number of correction officers by 900 would not risk the safety of officers or inmates. Schembri, who was under investigation following allegations that he did personal business on city time resigned, and Kerik became Corrections Commissioner. When Giuliani appointed him to his position Kerik followed him down-

stairs to a dimly lighted room. There waited Peter J. Powers. They pulled Mr. Kerik close and kissed his cheek. “I wonder if he noticed how much becoming part of his team resembled becoming part of a mafia family,” Kerik wrote. “*I was being made.*” On September 5, 2000 Giuliani appointed a bigamist as his Police Commissioner. Kerik testified that from August 10, 1978 to 1981 he was married to Linda Hales. Actually he divorced her on June 6, 1983. In his book Kerik says he from *the winter* of 1983 to 1992 he was married to Jacqueline Llevana.

In the early 1990s Kerik co-habited with attorney Linda George in a townhouse he owned in Rutherford, New Jersey. In April 1995 Linda George and her estranged husband, Marcelo Ferreira, were indicted by a Passaic County grand jury in a multimillion-dollar, mob-run gambling and extortion ring. Kerik split shortly before the indictment was handed down.²³⁰ It was alleged that Marcelo and Linda owned a Paterson cafe known as “The Spot” that was used from 1988 until 1993 as a video gaming den. Linda was charged with two counts of criminal conspiracy and two counts of conspiracy to promote gambling. In July 1997 the indictment was dismissed with prejudice. In June 2003 Arthur Margeotes, Passaic County’s former chief assistant prosecutor in charge of insurance fraud filed a lawsuit based on a series of alleged improprieties and political alliances he says he witnessed in the Passaic County Prosecutor’s Office, starting with the early 1990s investigation of the aforementioned illegal Paterson gambling ring. He said Jack Arseneault represented Linda George, a Hackensack lawyer charged in the case. Before his client was indicted by a grand jury in spring 1995, Margeotes said, Arseneault approached him and said if he didn’t back off, the case would get “ugly” and “dirty” and would jeopardize his boss Ronald Fava’s pending reappointment by the State Senate. Margeotes said Arseneault told him that his client John Lynch, then an influential member

of the Senate Judiciary Committee, "was aware of the Linda George criminal matter and was uncertain as to whether to reappoint Ronald Fava." After Margeotes complained, the FBI and the state launched a joint investigation of Arsenault's conduct, the lawsuit contended. Arsenault was never charged.²³¹

Indicted with Linda George in the case were several prominent reputed organized-crime figures, including Fortunato "Frank" Inzone, a felon who served time in federal prison for conspiring to import heroin in the New York City Pizza Connection case.²³² Inzone received 18 months probation in the gambling case. Rocco Petrozza, a crew leader in the Genovese family was also indicted and was sentenced to a year in state prison in 1997 for maintaining a gambling resort at his Paterson business, the Cougar Cafe.²³³ Other co-defendants such as Anthony Blaze Manzi and Austin Castiglione, did time in federal prison. Several Paterson police officers and Detective Raymond Kordja a former Passaic County Prosecutor's Office investigator also were indicted.²³⁴ This was a hardcore Organized Crime operation and Linda George was part of the crew. In 1998 Bernard Kerik married his dental hygienist Hala Matli.



Kerik was a busy beaver or at least he kept a lot of beavers busy. He had a ten year affair with city Correction Officer Jeanette Pinero (photo on the left); when Captain Eric Derivan wrote Jeanette Pinero up for certain infractions when both were working at the Bronx House of Detention Jeanette Pinero filed a sexual harassment complaint against him: On May 8, 1996 Captain Eric Derivan was interviewed in the Office of Equal Employment Opportunity. The interviewer reported: "I asked Captain Derivan, did he

write charges against Officer Jeanette Pinero, he stated 'Yes.' I also asked whether or not he preferred charges against Officer Pinero, because she turned down his advances for a relationship. He replied by stating that she never turned him down. He also stated that they had a conversation and based on certain things that came to light, he decided not to have any further involvement with her."

Captain Derivan also stated that in 1994, he charged her with poor performance of duties. Because of this Derivan was convinced that Kerik refused to promote him in order to punish him on behalf of Pinero. Derivan discussed this with Peter Meringolo, head of the Correction Captains Association:

Meringolo: Look who is this Kerik?

Deravin: Well, it doesn't come from Kerik direct.

Meringolo: It doesn't come from Kerik direct, but which one of his pansies?

Deravin: It comes from the pansies surrounding him. But it's coming from Kerik that they are going to disallow my report because of something. I mean how, how stupid is this, man? How stupid is this man?

Meringolo: How stupid is this man?

Deravin: How stupid is this man that he was going to fucking actually pass you over for Pinero? Well, why? Because why he doesn't look, look for arguments sake, he's tasting my cock, he's tasting Norman Seabrook's cock and who else before he got to her and he is going to sit up there and dick me down.²³⁵

Bernard Kerik also had a sexual relationship with his publisher, Judith Regan until she found out about his relationship with Jeanne Pinero and learned Hala was pregnant. Kerik, who previously had relationships with a string of bimbos, could not handle Regan's rejection. "He's maniacal, insane" said Regan. Kerik called her night and day. During one such call he

said he was following her son as he drove back to college in Massachusetts. He said, "I'm following Patrick. I'm at this exit at the turnpike. I want you to know this is where he is." When Regan ate in a restaurant with another man, Kerik called her cellphone, or had the management page her. Once he got her on the phone he would describe the man she was having dinner with. He was watching her through the window. He kept a key to her apartment and showed up unexpectedly. On a business trip to Los Angeles he had her followed. Regan has also stated that she was the victim of a hit and run traffic accident in London, which she considered suspicious since she was aware that another of Kerik's ex-mistresses was also the victim of a similar traffic "accident." Lawrence Ray believed Kerik had used surveillance techniques on Jeanette Pinero: "I learned from 1995-2000 Bernard Kerik would go up on peoples phones whenever he felt he needed to. I knew he would do it in December 2004, and Pinero's phone and my phone would be no exception."

The Kerik federal indictment charged, "In or about 1999, Bernard B. Kerik telephoned the Assistant Commissioner for the NYC Department Of Investigation who was working in conjunction with the NYC Trade Waste Commission on the Interstate Industrial Investigation, and attempted to vouch for Frank DiTommaso and Interstate Industrial." On April 29, 1999, Kerik sent Ray an e-mail titled "Important!!!" that said that the mayor had appointed Raymond Casey, one of his relatives, to a top job at the city's Trade Waste Commission, which Interstate was trying to influence. The e-mail was turned over to authorities: "Rudy's nephew in the Trade Waste has been appointed from Inspector General to Deputy Commissioner of Investigations," Kerik wrote. "That's how he's aware of everything going on. He's overseeing all of the investigations. That could be bad for me at the moment but I think overall good for us." In the same e-mail, Kerik lamented his problems paying for

his new apartment. He also mentioned that his brother Donald was looking for a new job. Within months, Interstate started renovations at Kerik's apartment.

Bernie received a good old-fashioned bribe and Frankie boy paid for the renovation of Bernie's Bronx condominium. The man listed as the contractor on the building permit, Edward Sisca of Englewood, N.J., had been indicted in a massive bid-rigging scandal. He pleaded guilty in March 2000 and was sentenced to 4-1/2 years in prison. Edward Sisca is the son of Gambino capo Alphonse "Funzi" Sisca. United States District Court Judge Jack Weinstein had to say to Sisca about passing down criminality from father to son, "You're not the only one whose son is also involved in criminal activity. More than one of you inherited criminal activity from a father. So you are going on to second and third generations of crime, it's got to stop. My hope in all of these sentences, what I do in all these sentences, is to impress upon each defendant that it's got to stop for his life and it's got to stop for the lives all around you."

Sisca was partners with his neighbor Arnold "Zeke" Squitieri. Squitieri (photo below) and Sisca were high-ranking long term Mafioso. Squitieri pleaded guilty in March 1974 to manslaughter in the death of Desiderio Caban and received eight years in prison. As a result two police officers were accused of letting Arnold Squitieri flee from the scene of a murder be-



cause he uttered these words: "Don't worry about it. He's only shot in the arm. Let me go. The boys will take care of you." Both officers omitted any reference to Squitieri in their reports and instead inserted a phony license plate number rather than Squitieri's. The second pair of officers who came on the scene

also agreed to split part of the bribe however they also later agreed to testify against the first two cops. The D.A. revealed that one-week after the murder one of the policemen met with Squitieri's partner Alphonse Sisca and Sisca gave him \$2000 of a potential \$5000 bribe. The bribery charges were eventually dismissed for lack of corroborating evidence, as everyone involved was a co-conspirator.

Judge Jack Weinstein reviewed Sisca's criminal history: "So when Mr. Sisca (photo below) was 29 years old [1965], he



was sentenced to 15 years imprisonment and five years special parole for the crime of possession with the intent to distribute a controlled substance by this Court, and according to the Presentence Report, he was one of 18 defendants, and among those who he worked for was Arnold Squitieri. He served until 1981, eight years, when he was released. In 1984 he was remanded because of the violation of parole because he again associated with people who -- with whom he should not have been associating. So he served another year in jail.

"In 1984, when he was 41 years old, he was again found guilty of conspiracy to distribute, or he pleaded guilty, I don't know which -- doesn't matter -- conspiracy to distribute and possess with intent to distribute heroin and the distribution of heroin by the United States District Court for the District of New Jersey. He was given 17 years imprisonment with a special parole term of six years and a fine of \$100,000, the great bulk of which he has still not paid. He was released after 11 more years in jail."

In June 1984 a Federal jury in Camden, N.J., convicted Arnold Squitieri and Alphonse Sisca of conspiring with members of the Gambino crime family to distribute and sell heroin.

They were found guilty of conspiring with Angelo Ruggiero, Gene Gotti, and John Carneglia. Squitieri was listed in a New Jersey law enforcement report as the Garden State's top Gambino Crime Family member, who had been a Soldier, Underboss, and Acting Boss of the Gambino Organized Crime Family. Squitieri and Sisca served 11 years in federal prison. Judge Weinstein continued, "So, so far we have 20 years in jail, for the bulk of Mr. Sisca's adult life. And then there were violations of parole and so on that, the sum total of which is that, either because Mr. Sisca was unable to tell right from wrong or he didn't care, he continued to commit crimes."

In March 2005 Arnold Squitieri and Alphonse Sisca were indicted along with Robert Vaccaro, Gregory DePalma and Robert Persico and charged along with 28 other defendants, most of whom are members or associates of the Gambino Organized Crime Family with wide-ranging racketeering crimes and other offenses spanning more than a decade, including violent assault, extortion of various individuals and businesses, loan sharking, union embezzlement, illegal gambling, trafficking in stolen property and counterfeit goods, and mail fraud. The Indictment alleged that the Gambino Family, at times working in tandem with other LCN Families, infiltrated, controlled, extorted, and defrauded businesses and labor organizations operating in various industries in the New York City area, and surrounding suburbs, including construction companies, a New York City radio station, trucking companies, and restaurant and club owners. The Indictment also charged that the Gambino Family operated a lucrative illegal gambling operation throughout the 1990s to the present that netted LCN approximately \$20 million in illegal proceeds. Despite his mob ties, Robert Persico received a 5-month sentence. Judge Alvin K. Hellenstein gave Sisca a 75-month sentence. Squitieri got 92 months.²³⁶

The engineer on Kerik's building permit was Charles Marino. Three months after the permit was filed, Marino was indicted for filing false documents with the city Department of Environmental Protection. Marino pleaded guilty in February 2001 and was sentenced to five years probation. State education officials suspended his engineering license for three years, with the last two stayed, and he was fined \$10,000.²³⁷ *The New York Times* credited Woods Restoration as the subcontractor that supervised and performed some of the work. Woods Restoration's website states, "Construction Management: To control costs, get large-scale projects up and running quickly and to limit business interruption, Woods Restoration offers a construction management option. Woods will retain responsibility for overall quality monitoring as well as the coordination of project planning and construction." Tim Woods was personally acquainted with both Peter and Frank DiTommaso, and had at one time been employed by Interstate. Kyle B. Watters, a lawyer for Timothy Woods, said that Woods had received a federal subpoena seeking records and testimony relating to his work on the home.²³⁸

Another favor that Interstate did for Kerik was hiring his brother, Donald Kerik. Frank DiTommaso wrote to the trade waste agency to announce his new employee. "The day to day operations of Interstate Materials Corp. have been taken over by Mr. Don Kerik. Don is a fine individual and will continue to provide your agency with full cooperation." As Kerik pressed Interstate's case, he asked Ray for money. "I've got to take care of those things we talked about a few weeks ago. If possible, I need about 2 to 2,5 to take care of it," Kerik wrote in e-mail in May 1999. A few weeks later, Kerik sought more. "If possible I don't want to spend any of the down payment for the apartment and I've got a few things that I've got to pay off. Can we spare 2500 to get me by until something else comes up?" In July 1999 Bernard Kerik had a meeting at Walker's Restau-

rant in Manhattan with Giuliani's cousin Ray Casey who at the time was in charge of enforcement for the city Trade Waste Commission now known as the Business Integrity Commission. During this meeting Kerik vouched for the integrity of Lawrence Ray despite the fact Ray was working for Interstate Industrial. At this meeting Kerik "questioned" city officials' concerns about the company having alleged mob ties. "I put my reputation and integrity on the line" for Interstate, he wrote in e-mail to the company's owners after that meeting. Kerik arranged a subsequent meeting between city officials and an Interstate representative later that summer in his Department of Corrections office. Giuliani could have learned from Ray Casey about this meeting. Bells should have started ringing when Giuliani heard the words Interstate Industrial since the city had dealings with the DiTommaso Brothers in the past.

By September 2000 Interstate's connection to the mob was public knowledge and was making news in *The New York Times*. The September 4, 2000 Edition's Metropolitan Desk ran a story entitled *Mob's Shadow Still Falls Across Building Projects*, "Several months ago, the city suspended more than \$80 million in contracts with a construction company that has a key role in closing the Fresh Kills landfill so that officials could investigate allegations that the company had ties to organized crime. The city's action against the company, **Interstate Industrial Corporation**, which has also done work on the city's new \$71 million stadium complex on Staten Island, attracted little attention. Interstate Industrial's problems began in October 1996, when the company bought a transfer station for dirt and construction debris, Metropolitan Stone Corporation, which government documents say was owned by one reputed member of the Gambino crime family and controlled by another, **Edward Garafola...**"

The Giuliani Administration's Department of Investigation was aware that Kerik arranged a meeting between Frank

DiTommaso and Ray Casey. The Department of Investigation had looked into Kerik's relationship with Interstate Industrial in June 2000 as part of a probe sparked by Interstate Industrial's bid for a city waste-hauling license. Giuliani was briefed on this meeting by the Department of Investigation and was aware that Interstate was connected. While declining to discuss what her predecessor Ed Kuriansky told her about his conversations with Giuliani regarding Kerik and Interstate, City Investigation Commissioner Rose Gill Hearn said, "Department of Investigation did have some conversations with City Hall, because as you know [Kuriansky] did attend the morning meetings Giuliani held with his agency heads." Giuliani has denied knowing what Department of Investigation learned about Kerik's dealings with DiTommaso, telling *The New York Times* in December 2004 that he would not have been informed unless there was something improper about Kerik's behavior. There was nothing improper about a police commissioner hanging out with Mafioso. It happened frequently in post-war New York City.

During his Grand Jury testimony in the Kerik bribery case Giuliani said that **he did not recall** any of the briefings remembered by Kuriansky wherein Kuriansky warned him that his police commissioner was being compromised. He suggested that perhaps he had forgotten them because Kuriansky had cleared Kerik to be elevated to the post of Police Commissioner. This explained why Kuriansky didn't want to discuss the case. Giuliani said appointment calendars kept by Kuriansky did not show that he was briefed on Interstate Industrial. But partially redacted copies of the calendars, which were provided to *The New York Times* by New York City, listed one meeting of a kind that Giuliani typically attended at which Lawrence Ray was listed as a topic for discussion. Giuliani also told the Bronx grand jury looking into the Kerik payoff that Kuriansky remembered having briefed him on some aspects of Kerik's relationship with Interstate Industrial. Giuliani said he had no memory

of the briefing, but he did not dispute that it had taken place. But a review of Kuriansky's diaries, and investigators' notes from a 2004 interview with him, indicated that such a session took place. "Meet with RG [Rudy Giuliani] & DY [Dennison Young], discuss BK [Bernard Kerik] background review, Ray issue." Kuriansky recalled briefing one of Giuliani's closest aides, Dennison Young Jr., about Kerik and Interstate Industrial. Kuriansky's diaries reveal he conducted a similar briefing for Young on August 14, 2000, five days before Kerik's appointment. Later, in his conversation with city investigators, Kuriansky summed up what he had related to Young: "Ray connection to BK, Ray was best man, brother worked at IS [Interstate] - all reported to DY."²³⁹

Let's make believe news of the DiTommaso's initial meetings with Police Commissioner Kerik didn't reach Giuliani. But what about after Kerik's best man Larry Ray was indicted in a Mafia pump and dump? Someone had to have brought it to Giuliani's attention. A senior Bronx prosecutor, Stephen R. Bookin, asked Mr. Giuliani, "As you sit here today, your testimony is, and correct me if I am wrong, that you don't recall ever being told that a close friend of your correction commissioner had been indicted in a federal case?" Giuliani responded: "I don't recall that until 2004. I can't tell you that it wasn't, but I don't - I don't - I don't remember." "Do you know of any reason why Mr. Kuriansky, who met with you every day that you were in town, part of your core group as you put it, would not have briefed you on these facts?" Giuliani answered this by saying that not enough emphasis was placed on the fact that his police commissioner was mobbed up.²⁴⁰

Giuliani knew of the relationship between Bernard Kerik and the mobbed up owners of Interstate Industrial Corporation prior to his appointing him Police Commissioner on August 29, 2000 but ignored it. He knew about it since 1998 when Interstate first faxed a copy of its application for a non-gaming

casino license to Kerik and to the Giuliani Administration in November 1998. *The Washington Post* reported that an affidavit Ray filed with the New Jersey Attorney General's Gaming Enforcement Division stated that Kerik arranged for meetings between Interstate representatives and gambling authorities. According to Ray Kerik told Ray repeatedly that Giuliani was aware of Interstate's desire to secure city contracts. Ray told *The Washington Post* that he once sat in Kerik's office as Kerik discussed the matter in a phone call with Giuliani. After hanging up, Ray said, Kerik went over to City Hall to meet with Giuliani. Giuliani spokesperson Daniel S. Connolly said that Giuliani never had a conversation with Kerik regarding Interstate at the time. "The only conversation he recalls ever having with Bernie regarding Interstate occurred in December 2004 when the press was reporting that relationship in connection with events at the time. There were never any one-on-one meetings with Larry Ray and Rudy Giuliani ever."

Giuliani stated, "Bernard Kerik has acknowledged his violations, but this should be evaluated in light of his service to the United States of America and the City of New York." Giuliani told reporters in late 2004 that he might have appointed Kerik as Police Commissioner even if he had known of his social relationship with Frank DiTommaso. Why should the DiTommaso's be different than others of their ilk? Was Lawrence Ray telling the truth about Giuliani getting a cut from Ray and Kerik's illegal profits? Lawrence Ray believed the Department of Investigations was covering up for Giuliani: "I agreed to work with the New York City Department of Investigation on the Kerik/Giuliani investigation December 20, 2004. Walter Arsenault had contacted me after I put out the news in November and December 2004. It seems the Department of Investigation was actually a "Trojan Horse" intending to do damage control, find out what evidence I had, secure it, bury the investigation, bury me and I can prove exactly that. Where were they before I

gave it to the *New York Daily News*? These criminals fleeced New York on the watch of the First Deputy Commissioner of New York City's Department of Investigation Walter Arsenault [the former chief of the Manhattan District Attorney's Homicide Division]. During the two-year investigation Walter Arsenault was in regular communication with the Bush White House. I have recordings of my conversations with Walter Arsenault...Had the Department of Investigation done their job in the nineties, Giuliani and Kerik would have never been through the gates at the White House, they would have been behind the gates of a prison. If others and I were aware, so was Walter Arsenault. Frank then wanted to meet Kerik. I introduced him to Kerik. But then I found out about behind the scenes things with Guy Molinari because Guy Molinari is very close to Rudy and because Guy Molinari is Frank DiTommaso's godfather. Not only that but Rudy lied all about the DiTommasos - he knew about DiTommasos in 1996 not because they met him because what happened was in 1996 the FBI was telling me and Gary Uher that they didn't want me to go to Florida on a bike trip - there was a whole bunch who used to go it was no big deal - because they thought **the DiTommasos set me up to be killed by Garafola**. And I have the documents for that also because the FBI paid for an alternate room for me in 1996 down in Daytona, Florida. So the fax went from Kerik's office to me about where we paid for the hotel and everything. And when I came back Kerik was talking several times to Rudy. I was in the office with him when he was talking to Rudy about it over the phone. So Rudy knew all about the DiTommasos. In 1998 and 1999 I know Kerik talked to Rudy because I was there also. He lied in his grand jury testimony. When I came out in 2004 everybody says, "Oh my god s**t" because they were covering it up all this time the people from Department of Investigation they were doing a cover-up all this time. They were doing a cover-up Department of Investigation. Everyone

was involved in this. They destroyed my life, destroyed my kids. If I had it to do all over again I would still do it. The truth is the truth. I stood on truth my whole life you got to handle the truth properly but the truth is the truth.”

The federal Kerik indictment stated, “Kerik attempted to cause and caused witnesses to make false statements to the NYC Department of Investigation and other local law enforcement officials investigating his receipt of corrupt payments...” This is a reference to Kerik’s attorneys, Joseph Tacopina and Kenneth Breen. The Bronx County District Attorney obtained a wiretap on Kerik from July 2005 through September 9, 2005. Conversations between Kerik and Joseph Tacopina were determined to fall under the fraudulent/criminal exemption to the right of Attorney-Client privilege. Tacopina, who was Kerik’s business partner and personal friend, will be called as a witness against Kerik. As a result of this and his co-counsel Kenneth Breen’s involvement in promulgating false statements, the US Attorney’s office asked that Breen be barred from defending Kerik as a conflict of interest had arisen. “It is the Government’s current intention to call Mr. Tacopina as a trial witness to testify both as to the false exculpatory account of the renovations to the Riverdale Apartment that were initially conveyed to him by the defendant and that he in turn conveyed to the Bronx County District Attorney’s Office (namely, that the defendant alone paid for the renovations to the Riverdale Apartment and that they cost approximately \$50,000) and the admission the defendant made concerning the Realtor’s loan (namely, that he took a loan from the Realtor to make the down payment on the Riverdale Apartment). In order to develop further and corroborate this testimony, we will naturally inquire about the defendant’s subsequent repetition of these statements to Messrs. Breen and Tacopina.” Tacopina successfully represented numerous crooked and renegade police officers now he is going to testify against one. Judge Robinson granted

the Government's motion disqualifying Breen – Tacopina had already withdrawn from the case. "Here the Government alleges that the Defendant obstructed the state investigation through his lawyers' unwittingly-made obstructive statements. The direct evidence of those charges is the attorney's statements to investigators. The fact that Mr. Breen allegedly participated in some of the meetings and allegedly did not stop the statements from being made, contradict or correct them is both relevant and probative... Where attorney-client communications are disclosed for reasons other than obtaining legal advice to a third party at the direction of the client there is no expectation of privacy or confidentiality, and thus, the client cannot assert the privilege. The Defendant's statements to his attorneys during the course of the Bronx County District Attorney's Office / New York Department of Investigation investigation are not privileged because (1) they were intended to be communicated and were communicated to the Bronx County District Attorney's Office / New York Department of Investigation, and (2) because, to the extent they related to the apartment renovations, they were allegedly part of an ongoing obstruction of the Bronx County District Attorney's Office's investigation. According to the Government, Mr. Tacopina stated that he was authorized by the Defendant to make the statements to the investigating authorities, and the Defendant has not disputed that fact. Moreover, the circumstances in which the statements were made are highly suggestive of the fact that the Defendant authorized his counsel to make these statements on his behalf. Finally, as the Government apparently plans to show at trial, the Defendant allegedly made almost identical statements to White House officials vetting him for the Secretary of Homeland Security... If this Court were to adopt the Defendant's interpretation of Rule 410, a defendant through his lawyer could lie and mislead a government investigator or prosecutorial office with impunity as long as the meeting where

the statements were made could be styled as a plea discussion. This Court rejects that proposition. The statements at issue here have little to do with the ultimate disposition in the state proceedings. They were made denying the Defendant's guilt, and therefore cannot be said to fall under the protections of Rule 410." Judge Robinson is going to hand Bernie!

The Federal indictment of Kerik stated, "...and otherwise attempted to obstruct a state grand jury investigation into his receipt of said payments." The obstruction of a state grand jury investigation refers to Michael Caruso who was an assistant commissioner at the city's Department of Investigation. He was that agency's inspector general overseeing the Department of Correction since 1990. Caruso, whose annual salary was \$133,000, was responsible for corruption investigations at the Correction Department. Kerik was correction commissioner from December 1997 to August 2000. During that time Caruso developed a social relationship with Kerik. Caruso attended Mr. Kerik's wedding reception in 1998. In a lawsuit against the New York City Department of Investigation Caruso stated, "A Grand Jury in Bronx County investigated possible violations by Kerik of the criminal laws of the State of New York in 2006. On March 16, 2006, Department of Investigation First Deputy Commissioner Walter Arsenault informed Plaintiff [Michael Caruso] he was to testify the following week before the Grand Jury in Bronx County investigating Kerik. On March 20, 2006, Walter Arsenault discussed with Plaintiff his testimony before the Grand Jury. On March 21, 2006 prior to Plaintiff appearing as a witness before the Grand Jury, Walter Arsenault stated to Plaintiff, 'Remember Kerik vouched for Larry Ray at the Walkers' meeting [with Ray Casey] and everything will be O.K.' Plaintiff had informed Walter Arsenault on March 20, 2006 that he could not truthfully testify that Kerik vouched for Larry Ray at the Walkers' meeting. On March 21, 2006, Plaintiff appeared before a Grand Jury in Bronx County and provided truthful

testimony. Upon information and belief, on or about March 21, 2006 following Plaintiffs Grand Jury appearance, Walter Arsenault informed Department of Investigation Commissioner Rose Gill Hearn of Plaintiff's Grand Jury testimony. On March 24, 2006, Plaintiff was called to a meeting at Department of Investigation offices with Arsenault, Daniel D. Brownell, Marjorie Landa and Assistant Commissioner Robert Roach. Defendants Arsenault, Daniel D. Brownell, Marjorie Landa and Robert Roach informed plaintiff that his employment was to be terminated unless he resigned. Plaintiff was told at the meeting that the four individuals in the room had made the decision to terminate his employment if he did not resign. At the March 24, 2006 meeting, Assistant Commissioner Robert Roach informed Plaintiff that he was to be terminated because of the relationship between Plaintiff and Kerik and because of the existence of certain telephone calls in December 2004 between Kerik and Plaintiff, and between Jeannie Pinero and Plaintiff. Said reasons provided Plaintiff for termination were false and in retaliation for Plaintiff providing truthful grand jury testimony. Walter Arsenault, Daniel D. Brownell, Marjorie Landa and Robert Roach met with Plaintiff on March 24, 2006 with the authorization of Rose Gill Hearn and at her direction. Following the March 24, 2006 meeting Plaintiff refused to resign his employment. On March 31, 2006, Commissioner Rose Gill Hearn terminated Plaintiff's over 27 years of employment with the City of New York."

Kerik's federal indictment contained a reference to the Walker meeting: "In or about mid to late July 1999, Bernard Kerik attended a prearranged meeting at [Walker's restaurant] between [Ray Casey] an official of the NYC Trade Waste Commission, a New York City agency charged with investigating Interstate Industrial, and [Michael Caruso] an official of the NYC Department Of Investigation, to discuss the Interstate Industrial investigation." During the meeting, Kerik questioned

Ray Casey's concern that Interstate Industrial had mob ties, vouched for Lawrence Ray and James Woods, and offered to provide Lawrence Ray's assistance in the NYC Trade Waste Commission's investigation. Shortly after attending this meeting, Bernard Kerik sent Lawrence Ray an email explaining "I put my reputation and integrity on the line defending whatever [Lawrence Ray] asked without question" (Emphasis in original). Later, in that same email, Bernard Kerik complained that he felt like he was on "welfare" as compared to the life-style Lawrence Ray lived. He explained that: "I'm walking on eggshells until this apartment is done. A bulls**t \$170,000 (sic) I had to beg, borrow and [expletive] for the down payment and I'm still [expletive] over the \$5,000. (sic) I need for closing if it happens. Then the renovations."

Bernie's financial status improved immensely after the joined Giuliani Partners, Taser International and Georal International. Kerik and his deputy John Picciano authorized the purchase of 19 security doors at \$50,000 apiece from the Georal Corporation that proved too heavy for One Police Plaza. The CEO of Georal International was arrested on charges that he colluded on bids to buy the doors back at a city auction and had submitted false and inflated invoices for servicing other city doors."²⁴¹ Kerik's connection to Taser International enabled him to buy a \$1.2 million home in New Jersey.

Bernie, however is going to loose it all. Not only are the Feds after him they are after Kenneth Breen, Joe Tacopina, Michael Caruso and Lawrence V. Ray. They should add Giuliani to this list: When Giuliani nominated Bernard Kerik for the position of Director of Homeland Security he was aware of Kerik's Linda George, Lawrence Ray and Frank Tommaso connections yet recommended him anyway. Kerik slipped though White House vetting procedures. This embarrassed the Bush Administration. It could have been avoided since Bush

had Julie Myers, who arrived in the White House personnel office in November 2004 and had worked in the same U.S. attorney's office in Brooklyn that prosecuted Ray, to question Kerik about his relationship with Ray. She exposed the relationship and other concerns about Kerik for her White House colleagues, according to *The Washington Post*.²⁴² She aggressively questioned Kerik about Ray and other affiliations but her concerns were initially ignored. Kerik's indictment stated, "From between late 2002 through late 2004, defendant Bernard B. Kerik sought several positions with the Federal Government, including (1) a position on the Academy & Policy Research Senior Advisory Committee to the President's Homeland Security Advisory Council, (2) Senior Policy Advisor to the Interior Minister of the Coalition Provisional Authority, and (3) the Secretary of the U.S. Department of Homeland Security. These positions involved vital national security interests and Kerik was required to answer written and oral questions about his background, including questions about his financial dealings, during his vetting for the aforementioned positions... In a December 5, 2004 email to the White House Kerik made various false and misleading statements to Official B about his relationship with Frank DiTommaso and Peter DiTommaso and Interstate Industrial. On December 3, 2004 in response to White House questions of November 17, 2004 from Official C [Julie Myers] that called for such information, Kerik failed to disclose his relationship with Frank DiTommaso and Peter DiTommaso and Lawrence Ray and the benefits he received from Frank DiTommaso and Peter DiTommaso, and Interstate Industrial."²⁴³

Kerik did get past the security check at the Academy & Policy Research Senior Advisory Committee to the President's Homeland Security Advisory. His biography there read, "Mr. Bernard Kerik, of New York, is the Chief Executive Officer of Giuliani – Kerik LLC. He most recently served as the Interim

Minister of Interior and Senior Policy Advisor for the U.S. led Coalition Provisional Authority in Iraq. His 28-year career in law enforcement includes four years in various security positions in the Kingdom of Saudi Arabia and as the First Deputy and Commissioner of the New York City Correction Department. He retired after serving as the 40th Police Commissioner of the NYPD.”

The President didn’t listen to Julie Myers, and took Giuliani’s word that Kerik was clean: “Good morning. I’m proud to announce my nomination of Commissioner Bernard Kerik as the Secretary of Homeland Security. Bernie Kerik is one of the most accomplished and effective leaders of law enforcement in America. In his career, he has served as an enlisted military police officer in Korea, a jail warden in New Jersey, a beat cop in Manhattan, New York City Corrections Commissioner, and as New York’s 40th Police Commissioner -- *an office once held by Teddy Roosevelt*. In every position, he has demonstrated a deep commitment to justice, a heart for the innocent, and a record of great success.” Kerik responded: “I would like to thank and recognize those whose love, support and sacrifice have brought me to this day -- most particularly my wife, Hala; my children, Celine, Angelina, Joseph and Lisa; and my friend and mentor Mayor Rudolph W. Giuliani.” Kerik withdrew a few days later citing a nanny problem.

In the summer of 2006 in State Supreme Court in the Bronx, Kerik pleaded guilty to two crimes charged in an unclassified misdemeanor complaint: A violation of the New York City Charter, which involves accepting a valuable gift from a person or firm intending to do business with the City of New York and failure to disclose a loan in the Annual Disclosure Report, filed with the New York City Conflicts of Interest Board. Kerik failed to list these loans after leaving City service. This was a slap on the wrist and he was not charged under State Penal Law. Kerik stated, “I admit that I took a gift from Interstate Companies or a

subsidiary, and thinking that they were clean, I spoke to City officials about Interstate on two occasions and on another occasion permitted my office to be used for a meeting between Trade Waste authorities and Interstate officials...I did not report a loan from Mr. Nathan Berman in 2001.” In moving papers generated by his federal indictment Kerik, “notes that he has no intention of attempting to repudiate his guilty plea, but simply reserves the right to challenge the Government’s interpretation of his allocution, its relevance to the charges and the weight it should be afforded.”

When first questioned by a New Jersey Division of Gaming Enforcement investigator, citing ongoing investigations by New York authorities involving similar matters, and on the advice of counsel, Kerik had invoked the Fifth Amendment in response to Division requests for documents and testimony concerning the following:

(1) Whether Frank DiTommaso ever directly or indirectly gave Bernard Kerik any money or other thing of value on behalf of Interstate?

(2) Whether Frank DiTommaso ever asked Kerik to take any action on behalf of Interstate?

(3) Whether Frank DiTommaso or Interstate paid Woods Restoration for any part of the cost or value of the renovation work on Bernard Kerik’s Bronx apartment;

(4) Whether, if any such payment was made, it was done pursuant to any understanding that Bernard Kerik would take any action that would benefit Frank DiTommaso or Interstate?

(5) Whether Lawrence Ray ever directly or indirectly gave Bernard Kerik any money or other thing of value on behalf of Interstate or Frank DiTommaso;

(6) Whether Lawrence Ray ever asked Kerik to take any action on behalf of Interstate;

(7) The authenticity and contents of the e-mails from Bernard Kerik to Lawrence Ray referred to in Paragraph 50 of this Complaint [Ray supplied these emails to the Division];

(8) Whether in approximately July 1999, Bernard Kerik had a meeting with [Rudy Giuliani's cousin] Ray Casey of the Trade Waste Commission during which Kerik vouched for the integrity of Lawrence Ray;

(9) Whether Ray, Frank DiTommaso or any other individual acting on behalf of Interstate requested that Bernard Kerik meet with Ray Casey or otherwise take any action in connection with Interstate's investigation by the Trade Waste Commission.

The investigators concluded, "By directly and indirectly conferring money or other things of value on Kerik during a period in which Kerik was a high-ranking public official of New York City and was in a position to - and did - provide assistance to Interstate, the DiTommasos and Interstate attempted to influence Kerik in the performance or violation of his official duties." Bronx Assistant DA Stephen Bookin, however, minimized the charges, "Although some may draw inference from these facts, there is no direct evidence of an agreement between Mr. Kerik and the owners of the Interstate Companies, Frank and Peter DiTommaso, that the renovations to Mr. Kerik's apartment were given in return for Mr. Kerik's assistance with the New York City regulators."²⁴⁴ Under terms of the plea agreement Justice John Collins, Administrative Judge, Bronx Supreme Court Criminal Division sentenced Bernard Kerik to pay \$206,000 in fines and \$15,000 in civil penalties to the Conflicts of Interest Board. Kerik waived his right to appeal the two convictions.²⁴⁵ New York investigators told *The Washington Post* that Ray provided evidence to them before Kerik pleaded guilty in June 2006.

In the winter of 2006 the Department of Justice announced that in exchange for his guilty plea and 18 months of

prison time, it was willing to end the federal criminal probe into Kerik's wrongdoing, which includes mortgage fraud, tax fraud, and making false statements on his application to become U.S. Homeland Security Secretary and conspiracy to eavesdrop on behalf of former Westchester District Attorney Jeanne Pirro. But Kerik turned down the deal and by June 2007 Kerik was in Jordan coordinating a security project for King Abdullah II - a high-security crisis management headquarters – an underground, seismic-shock-proof, oxygen stowing compound that could allegedly withstand a nuclear attack. The bunker would be linked to sensitive installations in each of the kingdom's provinces, enabling centralized command and control even if chaos reigned above. Inside its secure walls, the leaders of Jordan could draw up contingency plans to manage mega terrorism, civil war, and other disasters that could befall a modern monarchy. It is a massive project, the first of its kind in the Arab world. Kerik also designed a super-max facility to incarcerate hard-core Al-Qaeda detainees. King Abdullah had nothing but praise for Kerik: "We're struggling to make our prisons tighter and more effectively guarded, while also improving on our past record in terms of compliance with minimal human-rights standards. When we win credit from international monitors for having achieved these goals, it's going to be a tribute to Bernie Kerik." This will be the CIA's new local Al-Qaeda ghost prison.²⁴⁶ Kerik was also in bed with the Saudis. Judith Regan reported that she accompanied Kerik on a yacht owned by the Saudis and witnessed Kerik receive a suitcase full of cash.²⁴⁷ In a lawsuit filed in Manhattan State Supreme Court Regan alleged that she was the victim of a vast conspiracy, set in motion by two unnamed Fox News Corp executives, who were worried that she would expose secrets about her now-indicted former lover Bernard Kerik that would imperil his former boss Rudy Giuliani's failed presidential bid. Giuliani also worked for the Saudis.²⁴⁸ In March 2007, Rudy's firm filed

papers in a Texas court case on behalf of Saudi Arabia's oil ministry and also worked for Qatar whose emir and interior minister had shielded the mastermind of 9/11, Khalid Sheikh Mohammed.²⁴⁹

Kerik was indicted on November 11, 2007. Ray provided evidence to the FBI before the indictment according to interviews with law enforcement officials and e-mails between Ray and the FBI obtained by *The Washington Post*. U.S. District Judge Stephen C. Robinson held a preliminary conference on the case immediately after the arraignment. An assistant United States Attorney, Perry A. Carbone, stated that there was a 2005 wiretap on Kerik's cellphone that intercepted some 2,500 calls. The DiTommaso's and Larry Ray were unindicted co-conspirators: "(a) John Doe #1 [Frank DiTommaso] and John Doe #2, [Peter DiTommaso] unindicted coconspirators, were the principals of a number of related companies engaged in the construction and waste management industries ["xyz" or Interstate Industrial]. XYZ, a New Jersey based company, did private, municipal and state work in both New York and New Jersey and sought to do additional public sector projects. (b) John Doe #3 [Lawrence Ray] was an employee of XYZ." Why were these men named as unindicted co-conspirators when part of the indictment reads, "Kerik, Frank DiTommaso and Peter DiTommaso made false statements about, and otherwise failed to disclose, the **corrupt payments** to federal, state and local government agencies and officials, **a state grand jury**, the media and the public."

Remember the Bronx D.A.'s office charged that Kerik failed to report a loan from real estate developer Nathan Berman? Kerik met Berman and Berman's father-in-law, Eduard Nakhamkin, in the late 1990s, when Berman was shifting careers from running Nakhamkin's Russian art galleries to developing real estate. Nakhamkin, whose galleries bear his name, was an émigré who moved to the United States in 1975

from Riga, Latvia, where he had been a mathematics professor at the Polytechnical Institute there. Nakhamkin had a very good rapport with the Soviets - for a Latvian exile. Yevgeny Kutovoi, the Charge D’Affairs of the Soviet Embassy in Washington designated Nakhamkin, whose exhibitions did not gain wide attention, as being granted a monopoly on displaying Russian art. This sort of privilege was generally given to those with KGB connections. In retrospect Nakhamkin was probably a double agent working for the CIA. Nathan Berman introduced Kerik to Shimon Cohen.

The Federal Grand Jury further charged: “On or about June 13, 2003, Shimon Cohen²⁵⁰ a Brooklyn stone and marble dealer, made a personal loan of \$250,000 to Bernard B. Kerik ("the Cohen loan"). As Kerik well knew, Shimon Cohen obtained the funds with which to make the loan to Kerik by in turn taking a loan from Eitan Wertheimer a wealthy Israeli industrialist whose companies did business with the federal government. The Cohen loan was repaid on June 10, 2005.”

The \$250,000 loan was provided in a personal check written by Cohen to Hala Kerik and was only repaid after NYC Department of Investigation investigators uncovered it. It was no loan – either Wertheimer wanted Kerik to throw some business his way or Kerik was on the pad of Israeli intelligence. Kerik knew where the money was coming from - Shimon Cohen had introduced Kerik to Wertheimer and the Kerik and Wertheimer spent time together in Israel in August 2001.²⁵¹ The Wertheimers are an important Israeli family and it is unlikely that they would engage in commercial corruption. Steff Wertheimer, the father of Eitan Wertheimer, is the billionaire founder of Israeli high tech industry. He was born in Germany and arrived in Israel in 1936 at age 10. He dropped out of the Tel-Aviv public school system at 14. In 1943 he joined the Royal Air Force and in 1945 became a member of the Palmach, one of the elite units of the Hagana, where he fought in

the German Unit that targeted Nazi troops. In 1948 he served as a demolition officer in Yiftach Brigade of the Palmach where he planted mines during the Israeli war of national liberation. In 1952 Wertheimer finished his army career. He served four years as a member of the Knesset. Wertheimer is one of the founders of the State of Israel and if Israeli intelligence didn't recruit him at one time or another they were not doing their job.²⁵²

Bernie didn't even have the decency to cop a plea and save his friend Giuliani a lot of embarrassment especially if Giuliani is called as a witness in his upcoming trial.²⁵³ Giuliani's former law partner and close friend, Judge Michael Mukasey, former U.S. Attorney General has recused himself from cases where he has a conflict of interest. Marc Mukasey, Michael's son and Giuliani's law partner was told to monitor the criminal probe of Kerik, which threatened Giuliani's presidential bid. As part of his assignment, Marc Mukasey has allegedly thwarted Kerik's lawyer from interviewing witnesses who might help his defense.²⁵⁴ In October 2009 Judge Stephen Robinson locked up Bernie for attempting to taint the jury pool with newspaper articles that claimed his indictment was a way to sabotage Rudy's political ambitions. Because of his law enforcement background Bernie was placed in Solitary Confinement and was locked down 23-hours a day. He cracked like an egg when he realized this was what he had to look forward to for at least the next ten years and threatened to take his own life. He was placed on suicide watch then transferred to a psychiatric facility. His trial has been delayed.

Giuliani still has mixed feelings about Bernie, "Without commenting on that case, I've already said I should have checked his background more carefully. I didn't. I've learned a lesson from it. I'm going to check more carefully in the future...the reality is, if we take a look at Bernard Kerik's service as police commissioner, he was an excellent police commis-

sioner. **Crime went down unexpectedly under Bernard Kerik.** Then on the other side of it, there were these problems. I take the responsibility. We should have known about them. We should have dealt with them. We didn't. It was my mistake. I made it. I am sorry for it. I've learned from it. But in the balance of things, you take a look at the success that I had, it must be that I am generally picking the right people. Because I am sure not doing this by myself."²⁵⁵

According to Giuliani Kerik did more good than bad. Actually crime went down in New York City not because of Kerik but because of Police Commissioner Bratton and his Deputy Jack Maple (who invented Compstat). Giuliani fired Bratton because he regarded him as a potential political rival after Bratton's picture appeared on the cover of *Time Magazine*. He assigned Lategano the task of castrating him. Giuliani and his hatchet woman claimed Bratton had been "spending time at Elaine's" – an Upper East Side restaurant - where a lot of media people and authors hang out. Bratton was getting too much ink. Jack Maple quit after Bratton was fired. Howard Safir became police commissioner, then Bernie Kerik. Kerik himself was a one-man crime wave, so how could he have reduced crime? Giuliani made a corrupt, evil man his police commissioner then nominated him for the head of the Department of Homeland Security.

Giuliani became fixated on the word "stat" and would later propose a number of other *stats* including *Terrorstat*: "first preventers can be assisted by the widespread implementation of a *Terrorstat* program, an idea proposed by former NYPD police commissioner William Bratton and criminologist George Kelling. *Terrorstat* would build on the proven principles of *Compstat*, the computerized crime mapping system developed by the New York Police Department in the 1990s and now used by police departments nationwide. By bringing all **crime and arrest data together by category and by neighbor-**

hood, *Compstat* revolutionized policing, enabling officers to focus their efforts in problem areas, armed with up-to-the-minute, accurate intelligence, rapid deployment of resources, individual accountability, and relentless follow-up. *Terrorstat* would do the same for counterterrorism. *Terrorstat* would not only capture information about terrorism-related arrests and distribute it to law enforcement officials; it would also fuse that information with data on arrests for crimes that on the surface seem unrelated to terrorism but may prove to be precursors to an attack. The investigation of the ordinary can help prevent the extraordinary.”²⁵⁶ *Compstat* accumulated arrest statistics on street crime, quality of life crimes that went down in the ghetto. Terrorists are not about to blow up targets in their own neighborhoods nor are their arrests likely to occur there. This is merely a rationalization for targeting Muslim neighborhoods. How will *Terrorstat* determine which crimes might be related to terrorism? The only basis would be ethnicity or religion. ^

DITOMMASO & FEDORKO: Michael Arthur Fedorko joined the New Jersey State Police as a member of the 77th State Police class on February 7, 1969. Later Fedorko was in charge of the racial profiling of hippies and Blacks by the New Jersey State Troopers making the New Jersey Turnpike synonymous with searches and arrests. In May 1997, he was assigned to the position of executive officer and was subsequently promoted to Lieutenant Colonel. His climb through the ranks led to his appointment to the position of deputy superintendent. Governor Christine Todd Whitman appointed him to the position of Acting Superintendent on February 28, 1999 and nominated him to the Casino Control Commission upon his retirement from the New Jersey State Police on November 1, 1999. He was approved by the New Jersey Senate and sworn in on November 17, 1999. In May 2004, Commissioner Fedorko was re-nominated for another five-year term with the Casino

Control Commission by Governor James E. McGreevey. The New Jersey Senate confirmed him in June 2004.

How could someone who was once this high up in the Jersey State Troopers be corrupt? Easy enough if the state is New Jersey where the Trooper brass has a history of corruption. In 1963, Dominick Capello was confirmed as Superintendent of the New Jersey State Police. Gambino associate Ray DeCarlo wanted Capello to keep his troopers from harassing numbers operations in the Jersey shore area. Among the speakers are Ray DeCarlo, Lucky (probably Louis Percello) and others:

Ray DeCarlo: Do you know what this Cappy Capello wants?

Lucky: No. How much?

Ray DeCarlo: He wants \$1,000 for Long Branch and \$1,000 for Asbury.

Si: For each town?

Ray DeCarlo: Yeah. Each town. And for the whole county he wants to make a different price.

According to *The Record of Hackensack*, in 2002 a mob informant, working with police, told investigators, "New Jersey State Police Superintendent Joseph Santiago associated with known members of organized crime in the Newark/Essex County area...Director Santiago owed large sums of money to those individuals." A State Police background investigation revealed that in Newark Santiago had consorted with an associate of the Genovese crime family, protected illegal gambling operations, was involved in a "no-show security scheme" and used police officers to build his house. The mobster Santiago was friendly with was Peter "The Crumb" Caprio. The aging mobster and confessed killer made news when he testified against mob boss Joseph "Skinny Joey" Merlino, as well as other key members of the Philadelphia

Family. Santiago resigned on October 18, 2002, after only seven months on the job.

If the price was right Fedorko was willing to take on the Office of the New Jersey Attorney General's Gaming Enforcement Division that stated that there were "...numerous associations between and among Interstate and the DiTommasos and individuals and businesses affiliated with the Gambino and DeCavalcante Families of La Cosa Nostra (LCN) including: Marine Contracting;²⁵⁷ Flagship Construction; Francis "Buddy" Leahy (Gambino associate); Mickey Cahill (Gambino associate); William Murtha (Gambino associate); Metropolitan Stone Corporation; Michael "Mikey Scars" DiLeonardo (Gambino capo); Edward Garafola (Gambino soldier); Gerard "Jerry" Garafola (Gambino associate); American Ready Mix; Phillip Castellano (Gambino associate); Michael Carbone (Gambino associate); Carl Lizza (Gambino associate); Dan-Ro Trucking; Frank Fappiano (Gambino soldier); Joseph Watts (Gambino associate and principal in Marine); and Anthony Capo (DeCavalcante soldier)."²⁵⁸

There was overwhelming evidence that the DiTommaso's were fronting for the mob. The most obvious was the Edward Garafola (photo below) – Larry Ray connection yet Fedorko basically repeated DiTommaso's cover story in his final report, "*Frank DiTommaso testified credibly* that he had no idea that there was any connection between Larry Ray and Edward Garafola until the indictment was announced. In 1998, when Applicants were involved in trying to obtain regulatory approvals in New York and New Jersey, Larry Ray advised Frank DiTommaso that he had a background in law enforcement and could assist in Applicants' efforts. Frank DiTommaso decided to hire Larry Ray for this purpose. Ray's role would be to



coordinate Interstate's efforts to comply with requests from the lawyers and regulators. As he put it, Larry Ray seemed to know and work with a number of law enforcement people. Significantly, Larry Ray was recommended by Bernard Kerik, then the New York City Commissioner of Corrections, and later, the New York City Police Commissioner. Larry Ray was paid an annual salary of \$100,000. There was no background check conducted on Ray prior to his hiring. Frank DiTommaso relied on his personal knowledge of Ray as well as the commendation from Mr. Kerik."

Fedorko claimed that he didn't believe the Garafola-Ray-DiTommaso connection was significant since Ray's connection to Bernard Kerik proved that he had good bone fides when the DiTommaso's hired him and that they hired him in good faith. But Bernard Kerik proved to be corrupt and Fedorko proved to be wrong. Fedorko's report had the ring of a ghost written biography, "The DiTommaso brothers were raised in Staten Island, New York. They are part of a close knit, loving and devoted family. Their father Anthony was a New York City police officer from 1955 until 1964 and their uncle Fred was a member of the New York City Fire Department from 1957 until 1964." Fedorko's Fairy Tale continued: "[Interstate Industrial] was created with a modest capital base of \$8,000 consisting of Frank's and Peter's college graduation money and life savings...*The Division insinuated that Applicants' early success may have been aided by corrupt sources*, but I do not find that to be true...Their rapid ascension in the highly competitive construction industry is a testament to their estimable talents... Although there may have been business encounters with [organized crime] figures during these formative years, there is no credible evidence of any improper conduct by Applicants or their principals. In this regard, I find that Qualifiers were unaware of any taint attaching to the people and entities with whom they did business. They did not operate as fronts for

organized crime and they did not benefit from any nefarious scheme to steer contracts their way. Rather, they obtained their various jobs and awarded contracts to subcontractors and suppliers based on a competitive bidding process. Industrial's business was initially operated from the basement of the DiTommaso family home. Soon, they obtained their first job, for site work on a new office building on Eisenhower Parkway in Roseland, New Jersey. They learned of the prospective job through a construction publication magazine. The developer was Cali Associates. The DiTommasos had previously bid unsuccessfully on other Cali projects, but this time they were awarded the job."

In 1993 an indictment charged the Luchese members and associates with racketeering in connection with contracts to provide maintenance, window cleaning and security services starting in 1983 in buildings owned or operated by Cali Associates, a real-estate company.²⁵⁹ Fedorko had access to law enforcement information and could have discovered this mob connection and much more but he choose not to. Fedorko continued: "In 1985, the company moved out of the family home, and a year later it moved to an office building in Secaucus, New Jersey. In 1988, Applicants relocated to their current address in Clifton, New Jersey. Sal Fischera and Sal Giardina, who were related to the Fischera and Giardina families who had lived in the DiTommasos' neighborhood in Staten Island while the brothers were growing up, owned the Secaucus building. Sal Giardina's father, also named Sal, but more commonly known as Teddy Giardina, was identified as a soldier in the Gambino crime family...In 1986, Salvatore Giardina told Frank that his uncle was in some trouble and they were raising money for his defense fund. Giardina asked him for \$500, which Frank paid by check. As a long-time friend of Salvatore Giardina, Frank did not ask what kind of trouble his uncle was in. At the time of the request, Frank had never met

the uncle, Louis Giardina, nor had he heard anything about him. On May 18, 1987, Louis Giardina was convicted of racketeering. Approximately one year later, he was arrested for making illegal payments to union officials. He was convicted and sentenced to five years in prison.”

This is what the Mafia is all about: People growing up together and establishing loyalty to one another. It was no coincidence that the mob owned the DiTommaso’s building and was their landlord. It was also no coincidence that Salvatore Giardina also worked at Hartz Mountain Industries, the same company where the DiTommasos were once employed. Fedorko continued: “[Buckingham Towers] was Qualifiers’ first really large job, a 30 story building in Fort Lee, New Jersey... The company needed a rebar [reinforcing bar for concrete] subcontractor and was contacted by a man named Jack Hegarty who sought the bid for his company, Marine Contracting (Marine). Marine was the lowest bidder and received the subcontract. Industrial paid Marine \$315,000 over a three-month period. The Gambino crime family controlled Marine. Francis “Buddy” Leahy and Mickey Cahill, two Gambino crime family members, are associated with Marine and Flagship. Qualifiers were unaware of their organized crime affiliations...”

Of course “the Qualifiers” had no idea of the organized crime connections of the people they were dealing with - their self-serving statements proved this as far as Commissioner Fedorko was concerned.

Fedorko: “A third individual who was associated with Marine and Flagship is William Murtha, a former Gambino associate who testified on behalf of the Division. Murtha was a career criminal having participated in numerous racketeering activities and a gangland murder in 1965. He entered the government’s Witness Protection Program in 1992 following a plea of guilty to a charge of federal tax evasion. Murtha made some serious allegations against the DiTommasos. One was of

particular concern. He testified that in the early 1980s John DiGilio, a gangster of some renown, had asked him as a favor to help out Interstate Industrial which was experiencing operational problems. The obvious implication was that the DiTommasos had **some ties** to DiGilio.”

Fedorko had to include Murtha’s testimony to the Division in order to refute it: “Murtha told the Division that he was involved in two construction companies, Marine Contracting and Flagship Construction. The Gambino Family controlled Marine Contracting. Murtha’s contact at the Gambino Family was **Alphonse Mosca**. Mosca directed Murtha to meet with the late **John DiGilio**, then a capo in the Genovese Organized Crime Family. According to Murtha, DiGilio stated that he (DiGilio) ‘owned’ Interstate Industrial Corporation. Murtha understood that statement to mean that DiGilio had an undocumented interest in and influence over Interstate Industrial. DiGilio told Murtha that Interstate Industrial was having operational difficulties and requested that, as a favor to DiGilio, Murtha help out Interstate Industrial. Murtha stated that he decided that he would comply with DiGilio’s request by having Marine Contracting affiliate itself with projects undertaken by Interstate Industrial.

“Interstate Industrial’s records show that Marine Contracting was paid \$315,000 by Interstate Industrial over a three-month period in 1986 for subcontracting work. For the three-year period between 1986 and 1989, Murtha’s other company, Flagship Construction, was paid \$2.5 million by Interstate Industrial as a subcontractor.

“Murtha stated that having not received any negative feedback regarding his assistance to Interstate Industrial, he assumed that DiGilio was satisfied. Murtha further stated that he occasionally **met with Funzi Mosca, his Gambino Family contact, or with Carmine DellaCava, his contact with the Genovese Family, in an office Interstate also used.**

"If found credible by the Commission, Murtha's testimony would establish that the applicants were directly involved with elements of organized crime in the conduct of their business operations. The applicants would therefore be disqualified from licensure."²⁶⁰

During a deposition before the NYC Department of Investigation Frank DiTommaso denied knowing Murtha:

Mr. Ruvoldt: Frank, did any office which was an Interstate office of yours, to your knowledge, was it ever used for meetings by Jim Murtha?

Mr. DiTommaso: Billy Murtha. The answer is no. I never met him. No one in my company ever met him.

Mr. Ruvoldt: He never used your offices?

Mr. DiTommaso: My offices were never used by them, that's correct.

Ms. Lee: Did you ever allow your offices to be used by Leahy and/or Cahill?

Mr. DiTommaso: No. As far as my speculation with this John DiGilio thing, my, understanding is that he was under intense criminal investigations for organized crime activity in New Jersey from the early 1980's, was indicted in the mid 1980s and was killed sometime in the late 1980s. If that's accurate, that was the way it was explained to me. It's also my understanding that there was some kind of business relationship or dispute or some type of an argument between him and another Interstate company. There was a shooting or something also involved.

Ms. Lee: You mean DiGilio and another company named Interstate but not your company?

Mr. DiTommaso: That is correct. My speculation is -- and obviously we're going to have to prove this -- is that he was referring to this other Interstate company. One of my other attorneys was involved in a matter that was involved with the other Interstate that was involved with John DiGilio.

Ms. Lee: Do you know what Interstate company that was?

Mr. Ruvoldt: Interstate Steel. I think its Interstate Steel

Mr. DiTommaso: Yes, either it's --

Ms. Lee: Is that your understanding?

Mr. DiTommaso: Yes, right. I hate to speculate if it's not that company, to bring any false light upon that company; but my understanding is Interstate Steel or Interstate Iron.

Ms. Lee: You don't have anything to do with Interstate Steel or Interstate Iron?

Mr. DiTommaso: Absolutely. I don't know who they were.

Mr. Dion: Are they in construction?

Mr. DiTommaso: Yes.

Ms. Lee: You think DiGilio had a beef or some problem with Interstate Steel or Iron?

Mr. DiTommaso: Or had a relationship with Interstate Steel or Iron if Murtha was a steel guy. I believe he was involved in the ironworker's union. That would kind of make sense. I use rebar as a small part of my business as a sub. One who was in the business of doing steel work and erecting steel or buildings would be more of a front for a guy like Murtha.

Ms. Lee: You think that Murtha made a mistake, that he was identifying you and he meant another --

Mr. DiTommaso: I hate to speculate. I think that Department of Gaming Enforcement made a mistake.

Ms. Lee: Anything is possible. It just seems odd to me that someone in the witness protection program would pick you or your company.

Mr. DiTommaso: He said Interstate.

Ms. Lee: You're thinking that there's another Interstate company that has the same name and --

Mr. DiTommaso: Similar name.

Ms. Lee: -- that those allegations relate to another company and not to you?

Mr. DiTommaso: That's my theory. That's what I believe. I don't know John DiGilio. How could I say that lie has an interest in my company when I don't know the guy, never heard of - him, never did a job. I guess it was in the waterfront in Bayonne. Never did work in that area. Not a name that was familiar or ever brought to my attention.

There was only one Interstate that Murtha was referring to and John DiGilio who was killed in 1988 had a beef with it, not with Interstate Steel. The DiTommaso's probably had him knocked off. The Division's notes on Murtha made it crystal clear what Interstate Murtha was talking about:

- identified from picture; could not recognize Peter;

- Murtha initially met and talked with Frank; subsequently met and talked with him in Flagship's office and Interstate's office (Edgewater, NJ) may have met with Frank at Gateway Diner (in Ft. Lee or Englewood Cliffs), "Billy? Eats" - a bar/restaurant whose owner was head of the Laborers union in NJ (place was opened for his mistress) or at a bar/restaurant the Greeks owned on River Road;

-Interstate had an office next to Murtha's company as the owner of the building was an old time Gambino "skipper" (capo) named "Tony", who was "put on the shelf" (retired); the arrangement was a favor to Paul Castellano; NYSOCTF (New York State Task Force on Organized Crime) would know "Tony's" name; Tony owned a lot of real estate (buildings). The rent "liaison" was Tony's girlfriend, described by Murtha as a former prostitute with red hair.

- Murtha's company(s) did many jobs with **Interstate**; did all rebar for **Interstate**; bills were submitted to **Interstate**;

- worked on Hartz Mountain projects together;

- worked on New York University project together

-Rodney Ferrari was a good "bull-sh**ter", who dealt with Frank the most, Murtha ran the jobs.

-Murtha was ordered to work with **Interstate** by Alphonse "Funzi" Mosca (Gambino LCN) and Carmine DellaCava (Genovese LCN); both Mosca and DellaCava told Murtha "these (DiTommaso's) are our friends", meaning they are with them, had to work with them, had to help them out²⁶¹

When questioned about Interstate employee Richard Forcino's involvement with gangsters Mickey Cahill and Francis "Buddy" Leahy, Frank DiTommaso said, "They are Irish. I think you have to be Italian to be in the Mafia." Interstate Superstructures did 750K worth of rebar business with Cahill and Leahy. Fedorko reported: "In 1986, Interstate Industrial worked on a project in New York City for New York University Hospital. Frank DiTommaso received a telephone call from the owner of SJF Contracting, Robert Mannino. Buddy Leahy had referred Mannino to him. Mannino had a business proposition that he thought would be mutually beneficial. SJF Contracting was experiencing significant administrative problems in its office, which Interstate Industrial might be able to assist with, while SJF Contracting was producing business which might interest Interstate Industrial. The idea eventually led to the formation in 1992 of a joint venture, Interstate Superstructures, but it was not profitable and was soon disbanded in 1993." Interstate was in partnership with two high echelon mobsters.

"The joint venture's dissolution led to Interstate Industrial's hiring of Ronald Forcino. Ronald Forcino was an employee and a part owner in the early 1980s, along with his cousin Richard Forcino and a third person named Stanley Sternchos, of Technical Concrete, which had ties to organized crime, through the activities of Sternchos...Sternchos testified in federal court that he made payoffs on behalf of Technical Concrete to a Ralph Scopo, the head of the local concrete and cement workers union, to ensure labor peace. Scopo was a

soldier in the Colombo Crime family. In 1987 he was convicted of racketeering in the so-called 'Commission Trial' for his role with the 'Concrete Club' and received a 100-year prison sentence. At this trial, several bosses and acting bosses of the five crime families in New York were also convicted of racketeering. Sternchos testified at trial that both Forcinos were present when these payoffs [to Scopo] were made."

In the "Commission Trial," transcripts from listening devices placed in the home of Gambino crime family Boss Paul "Big Paul" Castellano revealed the existence of the "Concrete Club" in which a "Commission" of New York's five families controlled the companies and bidding for all construction contracts involving the use of cement/concrete worth \$2,000,000 and over.

When a company was labeled mob-owned Interstate would come to its rescue: In 1994 the Trade Waste Commission cancelled the license of the mob owned Metropolitan Stone that allowed it to run a waste transfer station in Staten Island because the "owners of the facility [Edward Garafola and Michael Di Leonardo] were not held to be of the highest integrity." Interstate came to rescue and bought them out. It was not an uncommon practice for legitimate waste haulers to buy out the assets of mob-owned outfits at the time but the way Interstate did it smacked of money laundering. The majority of the money paid to Metropolitan Stone was for a covenant not to compete with Interstate. 625K was paid to Michael DiLeonardo, Mario Garafola and Frances Garafola for their word. Interstate also purchased the property Carl Lizza owned adjacent to the Transfer Station. In 1984 Lizza was the subject of a bid rigging case involving United States Government contracts. Interstate continued to use mob owned trucking companies, such as those owned by Jerry Garafola at the site until December 1996 when the Trade Waste Commission complained. Fedorko was forced to report: "In late 1994,

Interstate Industrial Materials Corporation, an entity formed and owned by Qualifiers, began an ongoing business relationship with Metropolitan Stone Corporation, and eventually acquired that company's assets in November 1996. Metropolitan operated a dirt transfer station in Staten Island... The record owners of Metropolitan Stone Corporation were Vincent Simineri, President, and Michael DiLeonardo, Vice President. However, the company was actually controlled and operated by Edward Garafola and DiLeonardo, both of whom have been identified as members of the Gambino organized crime family. Garafola is the brother-in-law of former Gambino family under boss Salvatore "Sammy the Bull" Gravano. Prior to the Metropolitan acquisition, the DiTommasos were unaware of these *purported* links to organized crime."

I would have gone one step further - prior to the Metropolitan Stone Corporation acquisition the DiTommasos were unaware that there was even such a thing as organized crime. These brothers were extraordinarily unaware judging from the use of the word unaware in the commissioner's report, "In this regard, I find that Qualifiers were **unaware** of any taint attaching to the people and entities with whom they did business... The DiTommasos were **unaware** of Marine's affiliation with the Gambino crime family... Qualifiers were **unaware** of their organized crime affiliations... Moreover, I am satisfied that Frank DiTommaso was **unaware** of any allegations concerning Technical Concrete when he hired Forcino... Qualifiers were **unaware** of Sisto's organized crime connections... Prior to the Metropolitan Stone Corporation acquisition, the DiTommasos were **unaware** of these purported links to organized crime... Frank DiTommaso testified that he was **unaware** of the reclassification." Fedorko took them at their word, "In this case, Qualifiers consistently and vigorously defended against the accusations, and credibly denied any involvement in organized crime activity. These denials are significant in assessing the

reliability of the hearsay evidence, because the absence of a denial itself may provide important indicia of reliability."

When Frank DiTommaso was asked about Edward Garafola he claimed that he eventually realized that he was involved with LCN, "Well you hear on the street who is the bad guy and who is not, and there was also a movie I watched on TV, Sammy the Bull, where it mentioned his brother-in-law Ed, so I didn't know if that means he is an Organized Crime guy or implicates him but I interpreted it that way." Peter DiTommaso had this to say, "I read just that he's a bad guy. I don't know what the definition of it is. He's a bad guy I guess in criminal activity." Another example of Frank DiTommaso discovering someone was mobbed up from the media involved A.J. Ross and Thomas Patriso, "Several years after our business relationship ended, I read in the papers that he was arrested for being involved with an organized crime family."

Fedorko continued: "On March 1, 1995, Metropolitan Stone Corporation applied to the Department of Sanitation for a permit to operate a fill material solid waste transfer station. In accordance with Local Law 42, the Department Of Sanitation requested that the Trade Waste Commission investigate the background of Metropolitan Stone Corporation and issued the company a temporary operating permit pending the completion of that investigation. As a result, an investigation of Metropolitan Stone Corporation ensued...In the summer of 1996, Edward Garafola contacted Frank DiTommaso about a possible sale of Metropolitan Stone Corporation to Interstate Industrial. Frank DiTommaso was not really interested at that time because he had never operated a transfer station. He was content with his construction business. However, he kept his options open and instructed his Chief Financial Officer, Allan B. Schwartz, to conduct a due diligence examination of Metropolitan Stone Corporation to determine the efficacy of purchasing the company. Frank DiTommaso realized that he needed a

continuous supply of dirt. Some of Interstate Industrial's managers urged Frank DiTommaso to give the purchase serious consideration...Frank DiTommaso changed his mind and Interstate Industrial entered into negotiations to purchase Metropolitan Stone Corporation and its transfer station.

"The promissory note for the balance due of \$1,250,000 payable over a term of five years, issued by Materials [Interstate Industrial subsidiary] to Metropolitan Stone Corporation for the purchase was subsequently assigned in February 1998 to Toni Marie DiLeonardo (wife of Michael DiLeonardo), Frances Garafola (wife of Edward Garafola) and Mario Garafola (son of Edward and Frances Garafola). Applicants had no role in the assignment, which was not uncommon. The promissory note was paid in full in early 2000, *ending any connection to the Garafola and DiLeonardo families.*"

That ended it. The money laundering was completed and the connection to the mob was severed. Not quite. "On April 7, 1999, Supervising Agent Ronald Lemanowicz and Agent Robert Graham proceeded to Jersey City, New Jersey and conducted an interview with Emilio Alvarez, Jr. Alvarez said that he obtained the delivery contract for Metropolitan Stone. When the company began operation Ed Garafola, his wife and Jerry Garafola were running the company. Later, Mario (Buddy) Garafola showed up. Jerry Garafola, he described, was mostly in the office, Buddy ran the recycling machine. A fat guy in a sweat suit named Jimmy Black, who Alvarez thought may had been a partner of the Garafolas, was in the yard. Alvarez said that Metropolitan Stone was later sold to Interstate. Alvarez also provided trucking services to Interstate Materials Corporation. Initially, he was very concerned because of the money that was still owed to his company. When Alvarez talked with Buddy Garafola, he told Alvarez not to worry because Interstate had deep pockets, and as part of the purchase of Metropolitan, Interstate had taken over the

account payable debt. Alvarez said that he received all the back pay that he was owed. Later, it came to be that Interstate was a tough pay and he always had to call or come to the office and inquiry about his money. Alvarez said on each Thursday, Allan Schwartz from Interstate would be in the office to handle the truckers' checks. He would go in and ask Schwartz about his back money. Jerry Garafola, who was always in the office, told Schwartz to give Emil his money.

“Alvarez said that sometime during the summer of 1997, after he had watched a lot of dump trucks hauling dirt for Interstate he was approached by Mario Garafola, Garafola asked him and Eddie Migoya to form a partnership to start their own trucking company. They agreed and each one put in money for the start up funds. Alvarez said he was the front man and signed for the purchase of four dump trucks. The new company was named Staten Island Stone Corporation, and used the address of 2900 New York Avenue, Union, New Jersey. Alvarez said that it was Eddie Migoya's recommendation that use this address. He added that Mario Garafola ran the company and set up and maintained all the business activities with Interstate. Garafola was the contact person that Interstate would call when they needed trucks. Garafola disbursed the pay and expense checks, although Alvarez said that he and Migoya also had the authority to sign checks. This business arrangement continued until sometime in February of 1998, when Alvarez said that he read a newspaper article, which outlined the Garafola's association with organized crime. Alvarez contended that he was upset by this information and terminated the business relationship without receiving any of the final payment from Garafola. Staten Island Stone trucks he said were sold back to the truck dealership.

“Alvarez was asked to describe the Garafola's relationship with Interstate, and he stated that **Buddy and Jerry Garafola** were always at Interstate. Buddy would often call him

from there and **Jerry was always in the office**. Alvarez said that Garafola told him that they were told by Interstate people to **not come around when the inspectors from Trade Waste or New Jersey would be there**. Alvarez was asked if he had any contact with Frank or Peter DiTommaso, he stated that he saw them on occasion at Johnson Street, but he did not discuss any business with them. He went on to say that as far as money matters were concerned, he mainly spoke with Allan Schwartz or Bob Sisto, but Sisto would always tell him to talk to Schwartz.

"Alvarez was asked to describe the Garafola's relationship with Interstate and its employees; he said often he would see Jerry and Schwartz together when checks were being disbursed to the trucking operators. He also said that on several occasions he had observed Sisto, argue with Jerry. He said they did not get along, although the two of them were always at the facility together."²⁶²

Allan Schwartz worked at the accounting firm of Borek Stockel where he had handled the Interstate Industrial account since 1984. In August 1994 one of the partners of this firm was indicted for income tax fraud. The indictment accused Thomas Borek, 44, the managing partner and founder of Borek, Stockel & Marden, and Paul Staffaroni, 39, a partner in the firm's tax department, with carrying out a scheme to evade millions in taxes due from the companies. According to Manhattan DA Robert Morgenthau the charges against Borek and Staffaroni mark the first time that an accounting firm has been accused under provisions of the state's Organized Crime Control Act.²⁶³ After this, Interstate Industrial hired Schwartz as its CFO. Schwartz testified that Interstate-linked Joseph Francolino Jr. told him that his father was locked up for an organized crime matter. According to Schwartz Frank DiTommaso said nothing about this. Interstate Industrial was "connected" to the same crew that once controlled the private garbage carting industry.

Alvarez told the Division that Metropolitan Stone and Interstate were one in the same but again “the Qualifiers” denied any knowledge of their associates’ underworld status and were taken at their word by the commissioner. Fedorko had to do some fancy talking to refute the evidence presented by the Division of Gaming Enforcement of the New Jersey Attorney General's office when it came to DiLeonardo and Garafola: “The Division challenged Frank DiTommaso’s credibility, claiming that, despite his protestations to the contrary, Frank DiTommaso had knowledge of the organized crime connections of Edward Garafola and Michael “Mikey Scars” DiLeonardo at the time of the Metropolitan Stone Corporation asset purchase. The Division further maintained that Frank DiTommaso told Allan B. Schwartz about these connections at the time of the purchase, relying upon the testimony Allan B. Schwartz gave at his sworn interview prior to the hearing. In his sworn interview with the Division, Frank DiTommaso said that he was shown the document and it indicated that Garafola and DiLeonardo were of bad character. At the hearing, he testified that he was uncertain of whether he had actually read the document. He did not know the precise reasons for Metropolitan’s predicament. However, he readily understood from Garafola’s agitated state of mind that Metropolitan Stone Corporation was in trouble and that Garafola urgently wanted to sell the transfer station because Metropolitan Stone Corporation’s license likely would not be renewed. Frank DiTommaso denied that any such conversation occurred with Schwartz.”

After his arrest Michael “Mikey Scars” DiLeonardo cooperated with the Justice Department and was asked:

Q. Did there come a time after you were running this construction panel for to Gambino family, that you opened your own company?

A. Yes.

Q. What was the name of that company?

A. Metropolitan Stone.

Q. And what kind of stone was that?

A. It was an aggregate business; stone. Road stone, concrete stone, it was stones

Q. Was it a legitimate or illegitimate company?

A. Illegitimate.

Q. Why illegitimate?

A. Anything I touch is illegitimate.

Q. Why?

A. Because I am in the mob. And anything I do facilitates my -- I'm there to make money for me, and the family, and, everything we do is illegitimate...

Q. The DiTommasos, who were they?

A. They were a big outfit. They were doing a landfill job in Staten Island, covering the garbage.

Q. You said there came a time that Joe Watts brought you a proposition involving Interstate and DiTommasos. What was that?

A. Yes. When they started this job in Staten Island landfill, it was a massive job, and the need for teamster foremen to be put on that job. And he came to me and said that DiTommasos wanted to know if they could keep the teamster foreman off the job for the length of the job, and they were willing to pay hundred thousand dollars towards that...

Q. So to keep the Teamster foreman off the job, they were willing to pay \$100,000 to whom?

A. To [Deleted], essentially us, the Gambino family.



There it was in black and white (see photos above for picture of DiLeonardi and another with John Gotti Jr.) yet Fedorko continued his charade: “The Division argued that the circumstances of the Metropolitan Stone acquisition and its aftermath support a finding of disqualification. I disagree. On the contrary, the record discloses that there was no inimical association with the principals of Metropolitan. There is nothing in the purchase price or contract of sale that supports the notion that Qualifiers bought this business to assist or benefit organized crime. There is also no evidence of any continuing involvement of Garafola or DiLeonardo in the operation of the transfer station. The purchase transaction was entirely legitimate, motivated by Frank DiTommaso's concern over having a sufficient supply of available dirt. The fact that Garafola and DiLeonardo were connected to organized crime does not, by itself, elevate this matter to an inimical association.” Fedorko was an expert on dirt, as he was himself a dirt bag. Fedorko reported: “During its fact-finding inquiry into the Metropolitan Stone purchase, Industrial discovered that the property on which Metropolitan Stone Corporation operated was not owned by them but was leased from a company called 11 Johnson Street Realty Corporation, which was owned by Carl Lizza. Lizza also was the owner of Mt. Hope Rock Products, Inc., (Hope Rock), a large company in Northern New Jersey. At the time of the purchase, Frank DiTommaso had not met Carl

Lizza, who was identified by Division expert Kenneth McCabe as an associate of organized crime.” Again Interstate's rental property is mob-owned. Why didn't it cross Commissioner Fedorko's mind that the mob owned Interstate?

Another mob connection to Interstate was through American Ready Mix: “When Materials [Interstate Industrial] purchased Metropolitan Stone it inherited a tenant on the transfer station premises, a concrete company called American Ready Mix. From the outset, Materials was reluctant to provide a lease to American Ready Mix, preferring to maintain flexibility. For his part, Vincent Ranelli [head of Ready Mix] repeatedly inquired about obtaining a written lease. Meanwhile, American Ready Mix became delinquent in its rental payments. There was a combination of factors in 1997 that contributed to American Ready Mix's delinquency including its status as a start-up company experiencing serious cash flow problems, the fact that Vincent Ranelli became sick, was hospitalized and later died, and finally, that American Ready Mix was insisting upon a written lease that Materials would not provide. Sometime during the first few months of 1997, Frank DiTommaso began making phone calls to Vincent Ranelli in an effort to collect the rent. Vincent Ranelli was in the hospital, and Frank spoke instead to Dick Clark, American Ready Mix's Chief Financial Officer. Clark assured Frank DiTommaso that American Ready Mix would pay its rent but it wanted a formal lease. Despite these representations, no rental payments were made.

“In April 1997, a few months after the acquisition, Frank DiTommaso learned that Vincent Ranelli was not the sole owner of American Ready Mix. The news was disturbing. Vincent Ranelli had asked Frank DiTommaso to take a tour of American Ready Mix's new office building. During this visit, Vincent Ranelli introduced Frank DiTommaso to Nina Castellano and casually referred to her as his partner. Frank DiTommaso told Vincent Ranelli that he was unaware that Vincent

Ranelli had any partners. Vincent Ranelli then explained that **Paul Castellano and Nina Castellano, grandchildren of the notorious Paul Castellano, the former Gambino crime family boss who was murdered in an infamous mob hit, were his partners.** Vincent Ranelli insisted, however, that he was running the operation. **Phillip Castellano, father of Nina and Paul, and the son of Paul Castellano Senior, is also reputed to be an organized crime member...**[A] lease proposal was presented to American Ready Mix at a meeting on March 9, 1998, held at the offices of Scara-Mix Concrete Company in Staten Island. Phillip Castellano owned Scara-Mix. Frank DiTommaso and Earl R. Tockman attended the meeting for Materials and for American Ready Mix, Dick Clark, Phillip Castellano, Paul Castellano, Jr. and Michael Carbone, whose role was not identified. Carbone has a lengthy criminal record involving interstate transportation of stolen securities and firearms violations. The purpose of the meeting was to discuss and, if possible, resolve various outstanding issues pertaining to American Ready Mix's tenancy including the rental payments and lease status. On March 23, 1999, there was a second meeting between representatives of American Ready Mix and Materials, at the law offices of George T. Imperial. Frank DiTommaso, Angelo Aponte, Earl R. Tockman, George Imperial, Chief Financial Officer Allan B. Schwartz and James Woods from Copstat Security all attended on behalf of Materials. For American Ready Mix, there was Phillip Castellano, Dick Clark and Edward Garafola, whose presence was not explained by Castellano. The meeting was extremely hostile...As Angelo Aponte so aptly noted, the clearly adversarial nature of the 1999 meeting attended by Castellano and Garafola underscores the lack of any association between Qualifiers and Castellano or Garafola."

What was Angelo Aponte, who New Yorkers had put their faith in, doing at this meeting? What was he doing working

for the mob? Aponte testified that after his meeting with numerous Organized Crime figures, Castellano vacated the transfer station and "the day or night after the last piece of valuable equipment was removed from American Redi-Mix by American Redi-Mix the building burned down." Aponte said the insurance investigators and fire Marshall's were called in "and the rest is history." He pointed out that he was hired in 1998 *after* the acquisition of Metropolitan Stone in the fall of 1996 but this made him even more sleazy for taking a job with Interstate.

George Imperial knew the DiTommaso's since they were teenagers. Imperial's uncle, Joseph Lordi, was the first Chairman of the Atlantic City Casino Control Commission. When Lordi was Essex County prosecutor he indicted Newark's police director, Dominick Spina, for failure to enforce the gambling laws, but Spina won a directed verdict of acquittal. Imperial had been offered a job on the Casino Control Commission but declined. According to *Newsday* former Senator Harrison Williams proposed a \$100 million loan to finance the proposed Ritz-Carlton Hotel casino in Atlantic City -- owned in large part by a firm that employed William's wife as an \$18,000-a-year consultant. It was at this meeting that Williams reportedly boasted of an earlier talk with Atlantic City Casino Control Commission chairman Joseph Lordi that "saved them [the Ritz-Carlton] \$3 million." A former Republican assemblyman and director of gaming enforcement, Frank Catania is on the Interstate Industrial payroll.²⁶⁴ Frank DiTommaso was questioned about the Castellano connection:

A. One day I was down in the transfer station and I ran into Mr. Ranelli who was completing a construction of his concrete plant and he invited me to come and look at his offices, he was all proud of his new building, so while he was giving me the tour, he introduced me to a young woman as his partner, Nina and that was the first time I was made aware that he had any partner.

Q. Do you recall the approximate date on that?

A. It was early on, right after I bought the business and there was a note to the file that I sent to the New York City Trade Waste Commission amending my application, notifying them of the subtenant and who the subtenant was.

Q. You don't look particularly happy about the identification of Miss Castellano as a subtenant?

A. I wasn't particularly happy to hear about that.

Q. Why?

A. Because her grandfather was Paul Castellano and is a known organized crime figure.

Q. You're in a bind at this point, aren't you?

A. To my knowledge Miss Castellano and her brother, whom I have never met in my life, were not known as organized crime people but having their name as a subtenant was not positive to my mind.

Q. Downright dangerous?

A. I thought it could have been an issue with them issuing me a license for my transfer station.

Q. Mr. Ranelli is the one who tells you about his partner Nina Castellano?

A. Right.

Q. Did he volunteer any other information at that point?

A. Absolutely.

Q. What did you ask?

A. I said Ben, I thought you were the only partner in this business and you told me you had no involvement. And he said, no, no, Nina and Paul are my partners. I said you know this could be a problem for my license, I am down here trying to get a license and here you have the Castellanos as subtenant and that could be a problem.

Q. How do you make the connection to Paul Castellano?

A. Two reasons. Paul Castellano's sons own one of the largest Redimix companies on Staten Island, so it would be very unusual if there was another Castellano opening a concrete company. And I heard he had a granddaughter named Nina, we just hadn't met but I heard the name, and that's also an uncommon name.

Q. Did you have any problems collecting the rent with American Redimix?

A. Yes, sir.

Q. That rent problem finally resolved?

A. Yes, sir.

Q. How was that resolved?

A. I had to have a meeting with Nina's father, Phil Castellano, and they were using excuses of not having a lease, that they weren't paying because they didn't have a lease and I wasn't giving them the full three acres of property that was promised that they could operate on.

Q. Was Phil also a principal of American Redimix?

A. Not to my knowledge.

Q. So why did you contact him with regard to your situation?

A. Well, because I had a fight with the CFO, Dick Clark, who was the CFO for American and we had basically a screaming match and I wanted to get my money, and so Vincent Ranelli became permanently ill and we couldn't get a response from anyone over there as to where our rent money was and after I had an argument with Mr. Clark, he recommended that I talk to Castellano.²⁶⁵

Fedorko had more charges to *refute*: "Robert Sisto was hired by Industrial in October 1990 as its Chief Estimator. When the license applications were filed, he was an operations supervisor for Interstate Industrial... Robert Sisto has been implicated in making improper payments to Ralph Scopo, the corrupt union official linked to the 'Concrete Club.' Robert Sisto

was recorded on FBI tapes discussing such payoffs to Ralph Scopo. At one point Robert Sisto was overheard by the FBI complaining to Ralph Scopo about a contract which went to another construction company rather than Sisto's company, Alicer Construction. Scopo responded by telling Sisto that it did not matter which company was awarded the contract because 'it's still us, it stays in the family.'"

Fedorko had to deal with allegations from mobsters in the Witness Protection Program who had a high degree of credibility: "The Division introduced into the record certain statements made by Dominic Borghese, a career criminal and a made member of the Gambino crime family until 1995 when he became a cooperating witness for the federal government as part of a plea bargain. Borghese's criminal record is quite extensive, including murder, extortion, assault, conspiracy, loan sharking and burying the bodies of murder victims...Consequently, the Division presented the testimony of Special Agent Paul Tambrino of the FBI who is the FBI 'handler' for Borghese. Agent Tambrino has no first-hand knowledge of the reliability of any of the information provided by Borghese. He merely related the statements offered by Dominic Borghese, as documented in FBI reports. Agent Tambrino testified concerning a telephonic interview conducted on February 2, 2000. Present for the interview were Borghese, Agent Tambri-no, Assistant United States Attorney Patricia Notopolus, Detective George Wren of the New Jersey State Police [Intelligence Division], and attorneys and investigators for the Division."

Fedorko omitted the fact that Assistant Attorney General Mitch Schwefel and Deputy Attorney General Chuck Kimmel also took part in the conference call. The only investigators from the Division who took part in this call were Agent Ron Lemanowic and Agent Nancy Smith. There was no indication that an attorney for the Division was present to counsel the agents. Fedorko had no first hand knowledge that the state-

ments of Frank DiTommaso were reliable, he didn't send any agents out to do field work and find out yet he took them as the gospel truth and in fact parroted them in his report. Fedorko would have a problem with this testimony: "The purpose of the interview was to obtain information that Borghese purportedly possessed regarding the DiTommaso brothers. A report of the interview, prepared on February 7, 2000 by Agent Tambrino, was admitted in evidence. Dominic 'Fat Dom' Borghese provided the following information. Anthony and Fred DiTommaso (father and uncle, respectively, of Qualifiers) were brothers who owned the Country Club Diner in Staten Island. Joseph Watts, who is a high-ranking associate of the Gambino crime family, told Dominic Borghese that Anthony and Fred DiTommaso paid Watts approximately \$10,000 per year in protection money for the diner to avoid any problems with customers or vandalism. Borghese said that this protection money had been paid since the early 1980s. Borghese had made this same general statement to the FBI in December 1995. Borghese advised that the two sons of Anthony DiTommaso operated a construction firm called Interstate Industrial. He alleged that, sometime during the period after Sammy "the bull" Gravano began cooperating with the government and prior to Dominic Borghese's arrest, which would place the event in 1992, Borghese and Watts went to the Country Club Diner to visit Qualifiers. Watts told him that they paid Joseph Watts approximately \$60,000 per year, in two installments, approximately \$30,000 in the summer and another \$30,000 around Christmas. These payments were ostensibly for "protection" which included handling any union problems that arose for Interstate Industrial. According to Dominic Borghese, Joseph Watts wanted him to meet the DiTommaso brothers because he feared he might be arrested soon, based on Gravano's then recent cooperation with the government. If Joseph Watts was arrested, Borghese would assume responsibility for collecting the payments. At the

meeting at the diner, Borghese said he observed one of the brothers, who he did not further identify or describe, hand an envelope to Joseph Watts. When Joseph Watts and Borghese returned to their car, Watts showed him that there was cash in the envelope and told him there was \$30,000 in the envelope. Sometime after the meeting, Borghese heard that the DiTommasos provided "no show" jobs for some Gambino associates. One of the people purportedly involved was John Cannistraci. Dominic Borghese said he had heard that Cannistraci's entire paycheck from the 'no-show' job went to Watts, toward payment of a debt owed by Cannistraci to Watts."

What Fedorko omitted was the passage in the FBI document that stated "Source heard that that Vincent Billella was responsible for collecting Cannistraci's paycheck and delivering the money to Watts." In November 1999 it became apparent that these men were in the same Mafia crew when Watts pleaded guilty to lesser charges after having been accused of running loan shark operation from his federal prison cell in West Virginia, where he was serving time for disposing of a body for John Gotti. His codefendants, Vincent Billella and John Cannistraci pleaded guilty to felony loan sharking charges that called for up to 21 months. This further substantiated Borghese's allegations.

The FBI document also stated that, "the DiTommaso's also provided no show jobs for "some Gambino associates including Charlie Edichico's (phonetic) son, Joe Maschietto (the son of Dennis Maschietto)... Source also heard at another later time that the DiTommaso's brothers' company, Interstate, got a substantial landfill job."²⁶⁶ Fedorko deemed Borghese unreliable implying he knew better than the feds. Next came evidence from Anthony Capo: "The Division also submitted evidence obtained from another career offender, Anthony Capo. Anthony Capo was a DeCavalcante crime family member from at least 1987 until he became a cooperating witness

with the federal government in July 2000. He too was unavailable as a witness. Anthony Capo has a substantial criminal record for violent conduct, including murder, conspiracy to commit murder, armed robbery, extortion and labor racketeering.”

Fedorko believed that Capo’s criminal history made his cast doubt on the veracity of his testimony. This researcher regards it as his pedigree. In Capo’s plea agreement with the Justice Department Capo admitted involvement in 13 gangland murders, a fraudulent stock scheme, loan sharking, armed robbery, home invasion, illegal gambling, extortion of a pet shop, labor union related extortion, assaults committed from January 1980 to December 1999 to maintain and increase Capo’s position in the DeCavalcante Family, credit card fraud, bank fraud, participation in conspiracies to distribute narcotics and possession of personal use quantities of cocaine and other illegal drugs. He was unavailable as a witness because he was in the Witness Protection Program.

Capo had other bona fides, “In the late 1970's, Capo attended New Dorp High School in Staten Island. Capo played Junior Varsity (J.V.) football for New Dorp and became aware of the DiTommaso’s (Frank DiTommaso and Peter DiTommaso) because they attended Monsignor Farrell High School in Staten Island. Capo noted that New Dorp and Monsignor Farrell were big rivals and that the DiTommaso's were regarded as good football players. At the time the Capo played J.V. football, Peter DiTommaso played Varsity. Capo frequented the Country Club Diner owned by the DiTommaso family, “Shortly before the Capo's arrest in 1999, Capo and Victor Dichiara had a dispute with Albert Crisci at the Country Club Diner in Staten Island. The dispute spilled outside to the parking lot. Upon Capo’s return to the diner, the waiter threatened to call the cops to report the incident. Capo paid the waiter two hundred dollars (\$200.00) not to call the cops. The

waiter took the money and did not call the cops. The following day, Capo returned to the Country Club Diner and spoke to the owner, DiTommaso's father. Capo explained that the waiter tried to extort him and that he wanted his money back. DiTommaso's father apologized and paid Capo back his money. DiTommaso's father made it a point to tell the Capo that the DiTommasos were with Watts."

Victor DiChiara had a decade's experience on Wall Street. He qualified as a broker in the early 1990s and has held two licenses with the National Association of Securities Dealers. He has worked for several Wall Street firms and was instrumental in launching initial public offerings. He was also a murderer, linked to five deaths, and a former associate of the DeCavalcante crime family. The DiTommaso family owned a mob hangout but Fedorko continued, "The Division has never spoken to Capo, even by telephone. Nevertheless, the Division offered the following information as related by Agent Seamus McElearney, the FBI handler for Anthony Capo. Anthony Capo claimed that, to satisfy probation requirements, he was employed by the DiTommasos after his release from prison in 1987, as a favor to Vincent Rotundo, a DeCavalcante capo. Rotundo was murdered in January 1988. According to Anthony Capo, Anthony Rotundo, a soldier in the DeCavalcante family, and the son of Vincent Rotundo, informed him that he would get Anthony Capo a job. Anthony Capo claimed that Anthony Rotundo advised him that the DiTommasos 'were with' the DeCavalcante family and John Riggi, the official boss of the family. Capo explained that to be 'with someone' meant that the family took care of any union problems and provided personal protection for the DiTommasos. Anthony Rotundo advised Anthony Capo that he called Frank DiTommaso, who told him that he would give Anthony Capo a job. Anthony Capo said that he worked for DiTommaso's concrete company for a couple of months and received a paycheck from the company.

I note that there is some evidence of employment, albeit for a minimal period. There is an undated W-2 Wage and Tax Statement indicating that Capo received wages in the amount of \$80.00 from Industrial. This document does not, however, confirm that Frank DiTommaso was instrumental in hiring Capo or even was aware of the employment or who Capo was. It also does not confirm Capo's contention that the job was given as a favor to a member of organized crime. There is no evidence in the record verifying any of Capo's claims in this regard. Moreover, there is nothing in the record that even remotely substantiates his assertion that the DiTommasos were connected to the DeCavalcante family and John Riggi. On the contrary, there is evidence that Riggi operated a company with a similar name, Interstate Truck and Equipment Corporation, which has no relationship to the DiTommasos."

In November 2004 Anthony Rotundo testified in the trial of Gambino made man Peter Gotti. Following the defections of acting boss Vincent Palermo and soldier Anthony Capo, Anthony Rotundo had become a cooperating witness in December 2001. Anthony Rotundo was born into the mob. His father, Vincent Rotundo, was a DeCavalcante capo régime operating in Brooklyn. In 1988 Vincent Rotundo was gunned down in front of his home. It was payback for an insult against Luchese underboss Anthony Casso. Then Gambino boss John Gotti intervened at Rotundo's wake, informing DeCavalcante boss John Riggi that there would be no war and that the Jersey crime family would answer to the Gambino crime family.

Fedorko did not deal with a lot of the juicier parts of this document, "Years later, Capo and Anthony Rotundo, who was now a Captain in the DeCavalcante LCN Family, visited Interstate's office in New Jersey in an attempt to get work. At the time Capo, who was now a Soldier in the DeCavalcante LCN Family, had a construction company with Eddie Pitre called Pitre Construction. Frank DiTommaso and Peter DiTommaso

were present at the office. Frank DiTommaso advised Anthony Rotondo and Capo that both companies performed drywall work and the DiTommaso's did not have any work for the Capo or Anthony Rotondo. Anthony Rotondo appeared shocked that the DiTommaso did not provide work for them.

"Subsequently, Capo met Watts by Isaac Dioro's jeweler store located near Hylan Boulevard in Staten Island. Watts asked Capo why he went to Interstate for work. Watts informed Capo that the DiTommaso's "were with him." Capo elaborated that this was a reference that the DiTommaso's were under the protection of the Gambino LCN Family. Then Capo proceeded to inform Anthony Rotondo what Watts had claimed.

"Shortly after, Anthony Rotondo and Capo visited Jake Amari and Steve Vitabile in New Jersey. At the time, Amari was the Acting Under Boss and Vitabile the Consigliere of the DeCavalcante LCN Family. Anthony Rotondo explained to Amari and Vitabile that the DiTommaso's were with his father, Vincent Rotondo. Amari and Vitabile advised Rotondo and Capo that they would look into it. **Capo was unaware if there was a "sitdown" or meeting between the Gambino and DeCavalcante LCN Family regarding the DiTommaso's.** However, during this time period, Capo noted that Vitabile and Watts worked together on the Caldors construction project on Staten Island.²⁶⁷

How could Fedorko not see the importance of Interstate to the mob when they were considering having a meeting between two families about them? Fedorko continued, "As the hearing progressed, it became readily apparent that one fundamental issue to be determined was the credibility of the DiTommaso brothers and the weight, if any, to be accorded potentially incriminating evidence provided by William Murtha, Dominic Borghese and Anthony Capo, whose unsavory reputations were well documented in the record. In this regard, I reiterate that the absence of any independent corroboration of

the alleged derogatory information provided by these former organized crime figures was a significant factor in my determinations. I reach the ineluctable conclusion that the unsubstantiated claims made by these three organized crime figures are not the "sort of evidence upon which responsible persons are accustomed to rely in the conduct of serious affairs." N.J.S.A. 5:12-107a (6). Conversely, I found the testimony of the DiTommasos to be credible, plausible and consistent with the evidence adduced."

The FBI reported, "Capo noted that the DiTommaso's father owned the Country Club Diner in Staten Island, New York. In addition, Capo noted that the DiTommaso's father, who Capo believed was possibly named Frank, was very close with Joe Watts and Tommy Bilotti. Capo noted that Watts is an Associate of the Gambino LCN Family and that Watts was partners with John Gotti." Anthony Capo's testimony corroborated that of Borghese's in regard to the Watts connection. Fedorko weaseled his way out of this by calling both men career offenders. Who did Fedorko expect to be testifying? Choirboys? Fedorko pointed to the rubber-stamp compliance committee the DiTommaso's had created to give it the Good Housekeeping Seal of Approval: "Applicants' efforts in this area over the past several years, starting with the hiring of Earl Tockman as General Counsel, followed in short order by the hiring of First Security and the retention of Angelo Aponte, and culminating in the formation of a Compliance Committee entrusted with considerable authority and responsibility, clearly demonstrate their resolve to rid the company of any potentially questionable business relationships. Aponte testified that the elimination of some problematic vendors had detrimental financial impact, but was carried out regardless of any financial ramifications."

Earl Tockman was an attorney who did legal work on behalf of the Communist Workers Party. When CWP members

were gunned down in Greensboro, North Carolina he headed the Greensboro Civil Rights Fund.

In September 1998 Frank DiTommaso hired Angelo Aponte to head Interstate Industrial Materials' business operations. Aponte worked on a contingency basis and would get paid when he obtained the permit for the transfer station. The DiTommaso's got to Aponte through Dennis Barrett, the DiTommaso's football coach who knew Aponte for at least 30 years. Barrett's daughter dated Anthony DiTommaso. Barrett was on the Interstate payroll. Aponte testified that he believed there was nothing untoward about purchasing a business from Organized Crime, because when he worked for U.S. Waste he was part of a buyout of a private trash collection business owned by Vigliotti & Sons an Organized Crime front who Randy Mastro's Waste Trade Commission blacklisted in August 1996.

Aponte claimed he was threatened by Organized Crime figure Dennis Mashetto or Marchietto (phonetic) who worked for Frank Fappiano, who later became a Mafia turncoat. Instead of going to his local precinct on Staten Island, he made a complaint to the Borough Commander. The implication here was that his local precinct had been infiltrated by Organized Crime. Aponte is now employed MDM International. In January 1998 the DiTommaso brothers were the majority shareholders in MDM but they claim they have given up their interest in the firm. Fedorko pointed out that, "One of the agents who prepared the FBI report in 1995 relating the information given by Borghese about the elder DiTommasos and the supposed Interstate-Watts connection was Matthew Tricorico. He advised Aponte that there was no reason for him to not accept employment with the DiTommasos."

Matthew Tricorico knew Aponte for 30 years. Another apologist for Interstate who was on the Interstate payroll was Sal Delrosario, a former New York City Police Department

Intelligence Division Detective who was Aponte's brothers' partner for 15 years. Hiring Aponte was a smart move but the Division saw through it: "The Division is mindful that the DiTommasos have, in the hiring of Angelo Aponte, who has an excellent reputation, taken steps to distance themselves from business dealings with persons associated with Organized Crime. Nonetheless, as noted earlier, the Commission must carefully examine the motivation for this step, given the DiTommasos' pattern of dealing with persons tied to Organized Crime. The Commission must be satisfied that the DiTommasos are making a sincere effort to purge Organized Crime from their business dealings and not merely making *cosmetic changes* under the twin pressures of the Division's investigation and any continuing scrutiny from the Trade Waste Commission."

Fedorko rebutted the Division's contentions: "The Division suggested that Applicants' compliance efforts have been cosmetic attempts to placate concerned regulatory officials. It questioned the authenticity of Applicants' commitment. However, the record clearly refutes any argument that Qualifiers are not committed to regulatory compliance. They voluntarily hired a security firm to identify questionable associates, then set out in a determined and unyielding manner to sever such relationships, even at great personal risk in some instances."

Interstate Industrial also hired Attorney Randy Mastro, who had been in charge of determining which private carting companies were mobbed up when Mastro worked for the Business Integrity Commission of the Giuliani Administration. The mob hiring a former gangbuster is not unprecedented. In the 1960's mob-linked Resorts International established the International Intelligence Corporation (INTERTEL) security firm in Washington. INTERTEL hired former Justice Department officials William Hundley and Robert Peloquin, who had prosecuted Organized Crime in the Criminal Division. INTERTEL

was supposed to determine which corporations were mobbed up for clients such as Howard Hughes who extensive holdings in Las Vegas casinos. When asked why Lawrence Ray's presence at Interstate Industrial didn't trigger alarm bells Mastro said, "Lawrence Ray predated my time. That had already occurred; he was gone...There was no retrospective review."²⁶⁸ Gibson, Dunn & Crutcher partner Randy Mastro is a member of Giuliani's legal advisory board.²⁶⁹

Due to the fact that Fedorko was corrupt like so many other governmental figures in New Jersey Interstate Drywall, a front for the Gambino's and DeCavalcante's, was granted a non-gaming casino license by the New Jersey State Gaming Board. Fedorko concluded, "It would be grossly unfair and shortsighted to deny licenses based upon unsubstantiated allegations of organized crime connections, particularly where the accusers did not testify. Throughout our regulatory history, we have scrupulously ferreted out the dishonorable and unsavory, thereby ensuring and promoting continued public confidence and trust in the casino industry and regulatory process. Our resolve in this regard remains steadfast and unwavering. But it is equally imperative that we remain ever vigilant in assuring that baseless accusations of scandalous activity will not sway our judgments...The undisputed record demonstrates quality family upbringing, loyal and devoted family and friends, a history of steady employment, an absence of any criminal record, a dedication to hard work, and a commitment to community and charitable endeavors. It is an exemplary record of personal and professional accomplishment, good conduct and citizenship. Qualifiers have earned the esteem, respect and admiration of their community. They have earned their success legitimately. The legion of character letters, buttressed by the plaudits offered by their character witnesses, clearly demonstrates Qualifiers' reputation for good character, honesty and integrity. I am especially impressed by the quality and quantity

of the character letters. In considering the "whole man," such evidence is highly probative...The Division contended that certain business associations and relationships with unsuitable people reflect negatively on Qualifiers' character. I disagree. In my judgment, such business associations and encounters do not reflect negatively upon Qualifiers. As discussed, Qualifiers did not knowingly engage in business transactions with organized crime figures... The record is devoid of any evidence that Applicants' business relationships with any of the individuals referenced by the Division as members or associates of organized crime are objectionable. No impropriety was demonstrated. There is no evidence that organized crime has ever had any interest, direct or indirect, in any of Qualifiers' business operations. There also is no evidence that organized crime ever exercised or attempted to exercise any influence or control over any of Qualifiers' business operations. In addition, there is no evidence of any nexus between any of Applicants' allegedly improper associations and the casino gaming industry. Thus, based upon my review of the entire record, I conclude that Applicants and Qualifiers have demonstrated their good character, honesty and integrity by clear and convincing evidence. - July 21, 2004."

Fedorko held up his end of the deal, despite Larry Ray's indictment.

A sealed document given to me by mistake revealed that the FBI was investigating Interstate, "I am aware that in approximately 1996 the Eastern District agreed to allow the Richmond District Attorney to utilize cooperating witness Dominic Borghese during the trial of *People v. Joseph Watts* [John Gotti's pal Watts fired five shots into William Ciccone's head after torturing him in the basement of a New Dorp, Staten Island, New York sweet shop]. **In order to protect on-going federal investigations of which Interstate Industrial Corporation was one,** it was understood between the parties that the

Richmond District Attorney would not debrief Dominic Borghese in detail about matters unrelated to the case.

“Richmond County District Attorney James Drury also stated that he was approached about the potential preparation of an affidavit on behalf of the DiTommasos by an acquaintance who had been an athletic coach to Peter and Frank DiTommaso and was currently working for Interstate. After Drury indicated that he would consider submitting an affidavit Robert Carrol and Paul Smith, whom he believed were from Interstate Legal Department, contacted him. Carrol and Smith assured him that Interstate had no Organized Crime connection and that Ken McCabe and Angelo Aponte had or would testify.

“Drury went on to say that Carrol and Smith did not give him any evidence and the DiTommaso’s attorney, Thomas Durkin gave him his first job as an attorney. He also said he made his affidavit ambiguous like Swiss cheese to that any prosecutor could attack it. The defendant’s tactic of misrepresenting testimony of McCabe in an attempt to influence other potential witnesses was similarly employed by Thomas Vinton, a former FBI Special Agent [Bureau of Narcotics] employed by defendants. Prior to FBI Special Agent Tambrino’s testimony regarding Borghese’s knowledge of Interstate, Vinton approached SA Tambrino and stated in substance that he should be careful because of McCabe’s testimony that Interstate was not involved in Organized Crime [the document went on to say Tambrino was undeterred]. Following Agent Tambrino’s testimony Vinton called Supervisory Special Agent Philip Scala, Special Agent Tambrino’s supervisor and relayed to him same misrepresentation of McCabe’s testimony.”



Vinton was the author of *Sanctioned Treachery, Portrait of a Drug Informant*. Why didn't Fedorko wait for the outcome of the above-mentioned investigation before issuing the license? Was he smarter than the Feds?

The DiTommaso's (Peter is seen above) are currently facing perjury charges because of their involvement with Kerik. The DiTommaso brothers' non-gaming casino license has been revoked. It is alleged that they falsely denied that Interstate paid for the majority of the Kerik apartment renovation. The additional perjury count against Peter DiTommaso charges that he testified falsely before the Grand Jury that Woods Restoration Services - the general contractor for the renovations on Kerik's apartment - worked for Interstate Industrial on a project at the St. Vincent's Nursing Home in New Jersey. To the contrary, evidence developed during the investigation showed that Woods Restoration did no work at the St. Vincent's Nursing Home. The investigation showed that Interstate Industrial instead disguised some of its payments to Woods Restoration for the Kerik apartment renovations by having Woods give Interstate Industrial fraudulent and inflated invoices for other work, such as that at the St. Vincent's Nursing Home, that Woods had not in fact performed.²⁷⁰

Kerik's connection to sleazy characters and companies does not end here. There is more. When Westchester district attorney Jeanine Pirro thought husband Albert was cheating on her she went to Kerik for help. By that time Kerik had formed his own security firm. She asked Kerik to bug Albert's yacht. Just like Kerik Jeanine was a source of information for the mob

- at an October 22, 2004 meeting Gregory DePalma, a capo in the Gambino crime family, conferred with his mob associate, Robert Vaccaro and said that Robert Persico of Scarsdale (the same Robert Persico indicted along with Arnold Squitieri and Alphonse Sisca) told him that Albert Pirro had passed along information about an investigation by his wife into Frank Dellacamera, a Mamaroneck police officer in the Mafia's employ. The men discussed Dellacamera who'd been arrested by the Westchester district attorney's office three days earlier on drug and stolen-goods charges. The charges against Dellacamera were not related to organized crime; despite the fact the FBI recorded numerous meetings between Gregory DePalma and Frank Dellacamera. FBI documents accused Frank Dellacamera of having helped the mob in auto insurance scams and of having paid tribute to the Gambino family. On an FBI tape, Gregory DePalma said, "The DA's husband told Bobby Persico that [Westchester district attorney's office investigators] have been following [Dellacamera] for one year." The fact that Jeanine Pirro's office had been following Dellacamera for a year had not been publicly revealed. On tape, DePalma sounds furious that Albert Pirro hadn't told his gangster pals about the probe of Frank Dellacamera sooner, stating, "He tells you now. He could have..." Robert Vaccaro interrupted, warning, "Watch the pinch," using gangster slang for an arrest. "During this part of the conversation, Robert Vaccaro seemed to be warning Gregory DePalma about talking too much about the connection between Robert Persico and the district attorney's husband," the FBI documents said. Robert Persico was a major Westchester contractor whom Pirro represented as a lobbyist in 2002. Pirro claimed that Robert Persico had hired him to "resolve a payment dispute" Persico had with the state Thruway Authority over a contract. Albert Pirro has said that he knew nothing of Robert Persico's reputed mob ties. In 1998, years before Albert Pirro lobbied the state for Robert Persico,

prosecutors labeled Persico "an associate of the Gambino crime family." On the Gregory DePalma tapes, Robert Persico is recorded trafficking in stolen watches and discussing extortion in the construction industry, according to FBI documents. Greg DePalma was also secretly recorded saying he discussed how to disable a cell phone bug with Craig Caine, an inspector in the U.S. Marshals' Long Island office. Caine's mother is DePalma's sister. Caine's name surfaced during a two-year probe of the Gambino crime family. On January 18, 2004 Caine called DePalma on a cell phone bugged by the FBI. The two discussed fraudulent means to obtain titles for a Cadillac and a BMW DePalma was getting. On February 25, 2004, DePalma was meeting with his mob associates at a nursing home where his son is hospitalized. The FBI had bugged the room, hallway, courtyard and DePalma's cell phone. DePalma said Caine had warned him to disable his cell phone to avoid detection, "Listen to me. When you are having a meeting, don't just shut your phone off. Take the battery out of the phone. Take it out. My nephew told me. He told me. He's No. 2 in command. He's a marshal, No. 2 in the Eastern District."²⁷¹

Albert Pirro filed a bogus lawsuit against Persico, which he never intended to pursue: "Frank Dellacamera was arrested in Westchester County, New York on or about October 24, 2004. Upon information and belief, on or about October 25, 2004, in Westchester County, New York, defendant Robert Persico spoke, in form and substance and published the following false and defamatory words about plaintiff to Gregory DePalma and, perhaps, others: 'Al Pirro, told me that the Westchester County District Attorney's Office was investigating one Frank Dellacamera.' The false and defamatory assertion charged, and was understood by Persico's listeners and Gregory DePalma, that plaintiff had committed the crime of obstruction of justice. As a result of the foregoing false and defamatory statement, plaintiff has been damaged in reputation

and good name, has suffered mental pain and anguish, has had consulting contract(s) suspended and is being impeded in his ability to obtain new consulting contracts, all to his damage in an amount to be determined at trial.” A few days later, without any fanfare or media coverage, the lawsuit was settled, since Albert had no intention of pursuing it in the first place, “Whereas, Defendant, having reviewed the Plaintiffs Verified Complaint, affirmatively represents that he did not make nor publish the statement as contained in Paragraph 4 of the Plaintiffs Verified Complaint to Gregory DePalma or any other person or entity. Whereas, Plaintiff having accepted Defendant’s representation, now withdraws his claims against Defendant.”

During a federal extortion trial a confessed extortionist named Maurizio "Mo" Sanginiti, told the FBI that he had paid \$5,000 to Republican Party chairman Zehy Jereis in Yonkers, to "get information from a politically connected person about criminal investigations by his wife." That politically connected figure, according to FBI documents, was Albert Pirro. Sanginiti said he met with Jereis at a *Dunkin' Donuts* in Yonkers, where the GOP boss told him that if he ever got into any trouble with the Westchester D.A., Albert Pirro could make the problem "go away."

In 1983 Albert Pirro had two extramarital affairs, one with a woman working at his law firm and another with a woman who in 1995, claimed he had fathered her child. That allegation led to years of litigation in which Albert Pirro denied paternity but was proven the father when an Indiana court eventually ordered DNA testing in 1998. The mother was a convicted embezzler. In 1986 Albert Pirro spent two months in Fair Oaks psychiatric hospital in Summit, New Jersey. He was depressed, couldn't sleep. He cried spontaneously and contemplated suicide, according to the hospital report.²⁷² In November 2007 the couple separated.

THE PRICE IS RIGHT

Another factor that contributed to Giuliani's downfall in the presidential primaries was his willingness to take on unsavory clients - if the price was right. Giuliani stepped down from active involvement in Giuliani Partners as sort of a pre-emptive strike so that he would not have to release his client lists. Prior to 9/11 Rudy was most famous for fighting Organized Crime. He knew its inner workings since he grew up in that milieu. He sent members of the Mafia's high Commission to federal prison using the then newly passed RICO Act. He put a big dent in its operations in places like the Fulton Fish Market. He wanted to consolidate the various agencies that regulate crime in the food, transportation, and shipping industries into a single Organized Crime Control Commission.



Rudy even went to Washington Heights in upper Manhattan to demonstrate how easy it was to buy heroin. The photo on the left is Rudy's attempt to look like a biker junkie. "*Heroin and related kinds of drugs* are the biggest single problem," Giuliani declared at a news conference in May 1981. But in 2002 Giuliani negated all of that when he got his OxyContin-pickin' hands on some drug money after he hooked up with Purdue Pharma, a lab that produced the most widely used opiate derivative in America, OxyContin. After

OxyContin is turned into powdered form there is little difference between it and heroin or morphine. Purdue Pharma is a wholly owned subsidiary of Purdue Frederick Pharmaceuticals, a privately owned corporation controlled by the Sackler family.

In 1949 Mortimer D. Sackler, Raymond R. Sackler and their brother Arthur M. Sackler were three psychiatrists who experimented on what *The New York Times* termed “mental cases” at Creedmoor State Hospital. The Sackler Brothers claimed that injections of histamine along with electro-convulsive shock treatment could mitigate mental illness.²⁷³ By 1950 they were giving mentally ill people, depending on their sex, massive doses of testosterone or estradiol, male and female sex hormones.²⁷⁴ In 1951 the Brothers developed a sonic blood test that they claimed could distinguish the sane from the insane.²⁷⁵ Other scientists later discredited all this research however it was one of the first attempts to combat and identify mental illness via chemotherapy and biochemistry respectively. In 1952 the brothers bought a small New York Drug Company called Purdue Frederick, which had been founded as early as 1892 by Dr. John Purdue Gray and George Frederick Bingham.

In May 1953 Raymond and Mortimer Sackler were dropped from the staff of Creedmoor State Hospital for refusal to sign an Army loyalty oath. The doctors were inducted into the service as privates. Arthur Sackler was a consultant at Creedmoor but not a member of the regular staff and was not involved in the loyalty oath issue. According to *The New York Times*, “The three brothers have been working at the mental hospitals Institute of Psychobiologic Studies on a research project for the Atomic Energy Commission on skin reaction to burns.”²⁷⁶ These nice Jewish boys were keeping a puritan traditional going – burning crazy people - although not necessarily at the stake. In 1954 Arthur Sackler became president of Douglas McAdams Inc an agency specializing in medical and pharmaceutical advertising.²⁷⁷ The Sackler family also owned the *Medical Tribune Group*, a collection of medical publications. In January 1962 Senator Estes Kefauver questioned Arthur Sackler about the drug MER-29. The producer of the

drug had admitted that it caused serious side effects such as liver disorders, cataracts, loss of hair etc. in 3,000 of the 300,000 patients who had taken it. Senator Kefauver asked Sackler why his agency had placed an ad in a medical journal that said, "We know that after use in 300,000 patients few toxic or serious side effects have been established."²⁷⁸ In the 1960's and 1970's Purdue Frederick and its subsidiaries helped create the marketing buzz for Librium and Valium that became the most widespread legal high pharmaceutical successes. By the 1970s, Valium was the most highly prescribed pharmaceutical in the world. In 1987 alone, more than 2.8 billion Valium tablets were made. The *Rolling Stones* wrote a song about it - *Mother's Little Helper*. Arthur Sackler made a fortune in medical advertising, and in doing so introduced America to his version of the drug culture. With the money he made pushing prescription highs he endowed numerous institutes for advanced scientific research in Israel as well as the Smithsonian and the Metropolitan Museum of Art in Manhattan. Sackler was a major financial supporter of the State of Israel and arranged for an Israeli school to receive money from New York State as part of a student exchange program. Arthur died in 1987 leaving behind a fortune in Oriental art.²⁷⁹ His brothers took over the family business. In 1991 the Sackler family created Purdue Pharma as an associated company. In December 1995 Purdue Pharma began manufacturing and distributing OxyContin a morphine-like opium-derived time-release painkiller. The warning label on OxyContin now reads, "OxyContin is an opioid agonist and a Schedule II controlled substance with an abuse liability similar to morphine. Oxycodone can be abused in a manner similar to other opioid agonists, legal or illicit. This should be considered when prescribing or dispensing OxyContin in situations where the physician or pharmacist is concerned about an increased risk of misuse, abuse, or diversion. OxyContin 80 mg and 160 mg Tablets are for use in opioid-tolerant

patients only. These tablet strengths may cause fatal respiratory depression when administered to patients not previously exposed to opioids. OxyContin tablets are to be swallowed whole and are not to be broken, chewed, or crushed. Taken broken, chewed, or crushed OxyContin tablets leads to rapid release and absorption of a potentially fatal dose of Oxycodone.”

In 2002 almost 6-million Americans used OxyContin, making it the most frequently prescribed narcotic in the country, according to the DEA. Additionally OxyContin was being sold illicitly throughout the United States. The heat was on the Sackler family, who had lied about the dangers of OxyContin just as their brother Arthur Sackler had lied about the risks of MER-29. The Sacklers hired Rudy and Bernie on a consultant basis to make it seem as if Purdue was serious about combating the smuggling and abuse of the OxyContin. Kerik was dispatched with other former police aides to evaluate security practices at Purdue's OxyContin manufacturing plant. About ten months after Giuliani's firm began its work for Purdue Pharma it also won a \$1.1 million contract from the Department of Justice to look for ways to improve the effectiveness of the Organized Crime Drug Enforcement Task Force. In 2002 Asa Hutchinson, who was the director of the Drug Enforcement Administration, met with Giuliani at a time when Purdue was under intense scrutiny by the DEA. By then Giuliani was already helping to raise money for a DEA (Drug Enforcement Administration) museum. Several top DEA staffers were recommending that the agency impose severe sanctions against the drug maker, including possible restrictions on how much OxyContin it could make. But Giuliani dissuaded Hutchinson, who instead focused DEA attention on Edward A. Rosenthal, a Yippee who was growing marijuana for medical purposes as an employee of Oakland, California. Federal agents arrested Rosenthal the same day that Hutchinson gave a speech in

nearby San Francisco. Marijuana enforcement won out over a morphine-like toxic drug and in September 2003 Purdue won its bid to hold off restrictions on the sale of OxyContin. In 2004, it paid a \$2 million fine to settle the DEA record-keeping charges without admitting any wrongdoing.

In 2006 John L. Brownlee a federal prosecutor from the Western District of Virginia charged that Purdue had, "...promoted OxyContin as less addictive, less subject to abuse and diversion, and less likely to cause tolerance and withdrawal than other pain medications, as follows:

a. Trained Purdue sales representatives and told some health care providers that it was more difficult to extract the oxycodone from an OxyContin tablet for the purpose of intravenous abuse, although Purdue's own study showed that a drug abuser could extract approximately 68% of the oxycodone from a single 10 mg OxyContin tablet by crushing the tablet, stirring it in water, and drawing the solution through cotton into a syringe;

b. Told Purdue sales representatives they could tell health care providers that OxyContin potentially creates less chance for addiction than immediate-release opioids;

c. Sponsored training that taught Purdue sales supervisors that OxyContin had fewer "peak and trough" blood level effects than immediate release opioids resulting in less euphoria and less potential for abuse than short-acting opioids;

d. Told certain health care providers that patients could stop therapy abruptly without experiencing withdrawal symptoms and that patients who took OxyContin would not develop tolerance to the drug; and

e. Told certain health care providers that OxyContin did not cause a "buzz" or euphoria, caused less euphoria, had less addiction potential, had less abuse potential, was less likely to be diverted than immediate-release opioids, and could be used to "weed out" addicts and drug seekers.²⁸⁰

In the plea agreement Purdue admitted, “Some employees violated our company’s written policy requiring that all communications to healthcare professionals about OxyContin adhere strictly to the FDA-approved prescribing information for this medicine and *its express warnings about risks*. We accept responsibility for those past misstatements and regret that they were made.”

Brownlee informed Purdue that he was prepared to indict it and three top executives. Giuliani’s firm was assigned the task of damage control. In October 2006 Brownlee told Giuliani and Purdue that he expected to ask for a grand jury indictment by the end of the month. Plea discussions ensued and Brownlee ultimately agreed that the three executives would not have to do jail time. The plea agreements resulted in the following: “Purdue’s three top executives will be convicted criminals and subject to court supervision; The Purdue Frederick Company, Inc., will stand convicted of a felony; Purdue Pharma L.P. will be subject to an extensive corporate integrity agreement to ensure compliance with all federal laws; Purdue will be required to set aside \$130 million to settle private civil law suits concerning OxyContin; and the defendants will pay a total of over \$634,000,000 which represents approximately 90% of the profits for sales of OxyContin during the time period of the offense.”²⁸¹

When Judge Jones handed out the sentences recommended by the Justice Department, Michael Friedman, Howard Udell and Paul Goldenheim each pleaded guilty to a misdemeanor count of misbranding the drug. The indictment read, “Defendant Michael Friedman joined Purdue in 1985 as Vice President and Assistant to the President and Chairman. He was appointed Group Vice President in 1988, Executive Vice President and Chief Operating Officer in 1999, and President and Chief Executive Officer in 2003. Defendant Howard R. Udell joined Purdue in 1977 as General Counsel. He was

appointed Group Vice President and General Counsel in 1989, Executive Vice President and General Counsel in 1999, and Executive Vice President and Chief Legal Officer in 2003. Defendant Paul D. Goldenheim joined Purdue in 1985 as Medical Director. He was appointed Vice President and Medical Director in 1986, Vice President of Scientific and Medical Affairs and Executive Director of Purdue Frederick Research Center in 1988, Group Vice President of Scientific and Medical Affairs in 1989, Executive Vice President of Medical and Scientific Affairs in 1999, Executive Vice President of Worldwide Research & Development in 2000, and Executive Vice President of Worldwide Research & Development and Chief Scientific Officer in 2003. He left Purdue in 2004.” The Sackler family fully privately owns Purdue Pharma. Friedman was high up in the corporate hierarchy but the persons who hold the three most important positions in the company are: Dr. Mortimer D. Sackler is the Chairman and 1st Co-CEO, Dr. Raymond R. Sackler, his brother, is the 2nd Co-CEO, Dr. Richard S. Sackler, Raymond’s son, is the President. What about the Sacklers? Raymond Sackler is a member of the Republican Jewish Coalition. On October 16, 2007 Giuliani addressed and praised this conservative Zionist group that opposes affirmative action. Did Giuliani get them immunity from prosecution? How much money did he get in return? Did he use this money to conduct his campaign?

Rudy’s next claim to fame came prosecuting white-collar crime. But after he the left government Giuliani was willing to work for white-collar criminals. You can take Giuliani out of East Flatbush, but you can’t take the East Flatbush out of Giuliani. There is no denying, however, that Giuliani was not as unprincipled as the rest of the members of the D’Avanzo and Giuliani families. Unlike many of them Rudy was more interested in being a *maid man* instead of a *made man*.

Applied DNA Sciences hired Giuliani's consulting firm. Richard Langley Jr., a serial securities scammer who cooperated with the Justice Department, controlled Applied DNA Sciences. Giuliani had the resources at his disposal to determine who controlled this company. He could have run the name through vetting databases or at least *googled* his name. Had he done the latter he would have discovered that in June 1997 the FBI busted 120 people, including Langley, in the biggest pump-and-dump security fraud case in history and that many of Langley's codefendants had ties to Organized Crime. They included Andrew Scudiero, who became a broker in 1985 and was soon arrested in a drug sting at his brokerage firm. He pleaded guilty to drug trafficking and served 11 months in prison. After his release Scudiero hooked up with Frank Mancini, an associate of the Gambino crime family. Mancini's family lives in a house in Queens owned by the brother of Nicholas Corozzo, the acting Gambino boss, according to the FBI.²⁸² Another co-defendant, Alfred P. Avasso, was a convicted arsonist.²⁸³ When co-defendant Cary Cimino appeared in court to seek bail, prosecutors played a tape of Cimino complaining about another defendant's cooperation: "Have Jimmy take care of him. I don't care how it's done...Go down there and put the gun in his mouth. Put the gun in his hand, put it in his mouth, pull the trigger. Make it look like suicide."²⁸⁴

Allen Z. Wolfson, who was imprisoned in connection with another stock fraud case, was another of Langley's co-defendants. Bells should have started ringing at the Giuliani lobbying firm. Wolfson had previous convictions for bank fraud, illegal campaign contributions and securities fraud; he spent time in prison in the 1980s and 1990s. Wolfson was the subject of a *New Yorker* magazine article and enjoys an international reputation as a swindler.²⁸⁵ A U.S. Attorney reported, "In order to protect himself from dealing directly with the corrupt stock brokers, Wolfson paid a middleman, Michael Grecco, an

associate of the Colombo organized crime family of La Cosa Nostra, to handle payments on Wolfson's behalf to the brokers. The proof at trial showed that Wolfson paid Grecco as much as 65% of the purchase price of the stock sold by Grecco's brokers; Grecco, in turn, passed on a portion of those bribes to the brokers – often as much as 40% or more of the purchase price of the stocks."²⁸⁶

Detective Stephen Gardell had used his position as a veteran detective to persuade authorities to drop state assault charges against Michael Grecco. In 1984 Gardell used his position to get Detective Louis Eppolito off the hook for copying Organized Crime files for the Gambinos. In 1982, Gardell was a hero cop, the guy who helped bust a mentally unstable Brooklyn man who mailed a deadly booby-trapped book to his own mother. Giuliani's researchers could have uncovered these connections in a heartbeat: But Giuliani didn't drop Langley until an article about him appeared in *USA Today*. Langley did one month in prison, was fined about \$4,000 and put on probation that was terminated in October 2007.²⁸⁷

When Giuliani was an international crime consultant, he used former cocaine smuggler Henry Edward Asher's²⁸⁸ databases in the hunt for terrorists. As a lobbyist Giuliani agreed to represent Seisint - a data-mining firm run by Asher - despite Asher's past criminality being public knowledge. "I have a great admiration for what he's doing," said Rudy. The contract Asher created in December 2002 called for Seisint to employ Giuliani Partners for two years at a fee of \$2 million a year. Giuliani Partners also received 800,000 warrants with an exercise price of \$10. By hyping Asher without acknowledging the \$4 million he was being paid to do so Giuliani helped persuade Reed Elsevier to buy Seisint in July 2004 for a reported \$775 million.²⁸⁹ Giuliani ultimately made \$25 million from this deal by working on a commission basis – a violation of federal contracting rules.²⁹⁰

The St. Petersburg Times reported that in 1987 Asher was granted immunity from prosecution after he was named an unindicted conspirator in a drug smuggling case involving the importation of cocaine valued at more than \$150-million. While Asher never was charged, he was an informant for the DEA and served as a witness in several drug cases after he was implicated in the *Cistern Cay Crew* Bahaman drug smuggling ring in the mid-1980s. Documents filed by prosecutors in Chicago said Asher was a pilot and smuggler who lived on Great Harbor, adjacent to Cistern Cay, a small island airport owned by Watergate figure Robert Vesco (d. November 23, 2007) and used for smuggling. To work off this beef with the DEA Asher ratted out his associates in drug trials from Gainesville to Chicago. Often F. Lee Bailey, who also lived near Cistern Cay, represented him. When rival smugglers burned down Bailey's house, Bailey and Asher retaliated by giving information about them to the DEA.

Florida Department of Law Enforcement files say informants identified Asher one of the men who provided police protection for smuggling operations in the Bahamas by working with Bahaman strongman Lynden Pindling. Vesco, a fugitive, also bribed Lynden Pindling and laundered money for Carlos Lehder-Rivas, the co-founder of the Medellin Cartel, through Bahamian banks.²⁹¹ It is highly likely Vesco and Asher worked together. The FBI and the U.S. Drug Enforcement Administration canceled contracts in 1999 with DBT Online Inc., a company Asher founded because of his coke-smuggling past.²⁹² George Soros was a backer of DBT when Asher was CEO.²⁹³

The Florida Department of Law Enforcement report also revealed Asher's involvement in a plot to assassinate Nicaraguan president Daniel Ortega. Asher had smuggled cocaine to the United States for the benefit of the contras and was familiar with the clandestine airstrips in Nicaragua. Asher was asked to infiltrate a CIA-sponsored assassination squad into Nicaragua.

An informant said Asher recruited him "to assassinate then-Nicaraguan President Daniel Ortega"²⁹⁴ in a CIA sponsored plot. The source claimed Asher offered him \$1 million to help kill Ortega. Asher told investigators he was approached by a former business associate (now dead) and asked to help free "contract" government employees (CIA contract agents such as for Air America pilot Eugene Hasenfus) imprisoned in Nicaragua. Asher claimed he withdrew after he was told they are going to have to kill some people.²⁹⁵

The media revealed that there was a lot of money behind Jewliani that was bundled by vulture capitalists many of who were rightwing Jews with strong ties to Israel. Manhattan Institute Trustee Paul E. Singer, a vulture capitalist, was chairman of Giuliani's Northeast fundraising operation. Singer and people who worked for Singer-related entities donated at least \$182,000 to Giuliani in the first six months of 2006. In 2007 Singer and workers at his companies donated \$200,000 to the campaign. Singer oversees Elliott Associates; an offshore fund that buys the debt of countries that have defaulted for pennies then sues to win repayment of the full value of the initial debt. Singer collects by chasing down assets all over the world. Bank accounts are frozen, court judgments obtained, and oil shipments seized.



In 1996, Singer (photo on the left) paid \$11.4 million for \$20 million worth of discounted, government-backed Peruvian bank debt. Then, rather than joining with 180 other Peruvian creditors who agreed to a plan using bonds to forgive some of the impoverished country's debt, Singer held out for bigger payments. He battled in the courts. At one point he hired an

Albany lobbying firm and got New York State to change an obscure law to strengthen his position. Singer ended up getting \$58 million for his Peruvian investment.

Giuliani claimed that if elected President he would fight AIDS in Africa, but would tailor policy toward Africa to emphasize trade over aid.²⁹⁶ In other words the anti-viral medications would still be sent to Africa however foreign aid, such as food shipments, would be curtailed. Giuliani does not like Africans, nor does Singer. Elliott-controlled Kensington International pursued \$100 million of Congo's sovereign debt that they had purchased for a fraction of the price. Kensington battled Congo President Denis Sassou-Nguesso in federal court in the U.S., demanding payment of the debt in full and going after the assets of companies that did business with the Congo such as the French bank BNP-Paribas. This bank answered Kensington's complaint thusly, "This action is brought by a so-called *vulture fund* that specializes in buying distressed debt at enormous discounts from face value and recovering huge windfall profits though the use of aggressive litigation tactics, a modus operandi that has precipitated a flurry of criticism from responsible commentators concerned with the disruption the antics of Kensington International Limited and related entities have caused in the debt markets. Kensington's core approach is on full display in this case. Not content to seek recovery from the issuer of the defaulted debt that it purchased with full knowledge of the borrower's history of nonpayment, Kensington now seeks to foist the obligation to repay that debt onto a third-party financial institution. And it has sought to coerce that defendant BNP-Paribas S.A. into fueling Kensington's profit goals through the draconian device of a claim under the widely misused Racketeer Influenced and Corrupt Organization ("RICO") Act. Kensington's effort to transform a series of collateralized lending transactions of a type routinely used in the oil into a criminal conspiracy is as abusive as it is miscon-

ceived.” Kensington had won four civil judgments in England in the same case, totaling almost \$100 million.”²⁹⁷

When Paul Singer collects his debt the squeeze is put on those whom can least afford it, in this case Black Africans, many who live marginal existences in a land decimated by warring militias. Many Congolese will die because of Singer’s greed. Singer and Kensington saw things differently. They claimed the action was brought “under the civil RICO statute alleging a conspiracy to misappropriate the resources, including oil, of the Republic of Congo for the private use of allegedly corrupt public officials and to facilitate and conceal that misappropriation, *all at the expense of the Congolese people* and of legitimate creditors like Kensington. Following its investigation, Plaintiff alleges that it discovered a money laundering scheme by Defendants to keep funds earned from oil revenues from creditors through the management of SNPC [the Congolese national oil firm] and through complex, convoluted and unconventionally structured Prepayment Agreements. Plaintiff alleges that it has been unable to collect on its rights as a creditor because Defendants have transported stolen oil in foreign commerce and sold those goods in the United States in violation of 18 U.S.C. 5§ 2314, 2315. Plaintiff alleges that Defendants worked through the SNPC and Prepayment Enterprises, to create a system of Prepayment, Agreements using *straw men*, or sham intermediaries, to misappropriate Congo’s oil revenues. According to the Complaint, BNP-Paribas loaned Congo about \$650 million, and SNPC pledged about \$1.4 billion in oil sales in an excessive over collateralization [that] served to shield a substantial portion of Congo’s oil revenues from both oversight and attachment by creditors. Plaintiff alleges that Defendants sold at least eleven shipments of stolen oil totaling 9,210,221 barrels to United States purchasers.”²⁹⁸ Robert A. Cohen, who is representing Elliott Associates, has benefited from death in the past when he

represented the Philip Morris Tobacco Company in the defense of several purported class actions brought against it and other cigarette manufacturers in New York.²⁹⁹

Singer was the single biggest donor to a stalled initiative proposal to help the GOP win a portion of California's 55 electoral votes by dividing the electoral votes in accordance with the popular vote rather than the current winner-take-all system. A group of Democrats filed a complaint with the Federal Election Commission charging that Singer had been acting on behalf of Giuliani in his efforts to change the California law - which Singer and the campaign of course denied.

Giuliani bundler Wilbur Ross is a New York investment banker and is known a heartless latter-day nineteenth-century coal baron, a bottom feeder and a vulture. Wilbur grew up in New Jersey and attended Catholic school. His father was a captain of the ocean liner *The President Wilson*. While a bankruptcy specialist at Rothschild Inc. he represented the shareholders of the Seabrook Nuclear Power Plant. Wilbur's company, International Coal Group, purchased the bankrupt West Virginia *Sago Mine* in November 2005. In January 2006 an explosion killed 12 miners there. Wilbur, who is a patron of the arts and leading member of New York's high society, refused to visit the scene of the mine disaster. A safety review of the Sago Mine, ending December 22, 2005 revealed 46 violations of federal health and safety rules. These included failures to safeguard against roof falls and to control methane. Fines were set at \$250 per violation. At that price, fines were cheaper than compliance and for Wilbur money is the bottom line. Ross finds bankrupt industries where workers' benefits like health coverage and pensions can be shed via bankruptcy courts. Ross made millions off the hardship of steel workers. His International Steel Group bought Bethlehem and LTV Steel and was able to lower wage scales and dump health and pension costs by using the bankruptcy laws. He made deals

with the steel workers' union to stay open, or reopen mills, based on this cheaper labor. Ross was Rudy's consultant on privatization

Casino gambling kingpin Sheldon Adelson, who's Las Vegas Sands Empire made him the third-richest American (he bilked the goys), was also a big Giuliani funder. The two shared many ideological views, most notably a vigorous commitment to maintaining the security of Israel.³⁰⁰ Unlike AIPAC and the neo-cons Adelson refuses to go along with the Bush peace initiative in the Middle East. He funds Benjamin Netanyahu who is to the right of most Israeli politicians. He has established a think tank to convince Israel to take out the Iranian WMD complex.³⁰¹ Had Rudy been successful in his bid for the presidency, American foreign policy would have been formulated in Jerusalem. The *Wall Street Journal* revealed Giuliani's previously undisclosed relationship with the Sage Capital. The major shareholders behind the \$2.5-billion Sage funds are the Israelis Daniel, Beny and Raz Steinmetz, a father & sons team who made a fortune in diamond trading and investing and have generated more than \$600,000 in speaking fees for Giuliani. Raz Steinmetz is the 30th richest Israeli. The Steinmetz family owns the Steinmetz Diamond Group that mined gems in the Democratic Republic of Congo.³⁰²

PRESIDENTIAL POST MORTEM

In December 2007 the *National Intelligence Estimate* on the threat posed by Iran was released to the public. It read, "We judge with high confidence that in fall 2003, Tehran halted its nuclear weapons program." All of Rudy's advisors wanted the United States to bomb Iran in order to prevent it from developing nuclear weapons rather than Israel doing it. Olin Foundation³⁰³ grant recipient Norman Podhoretz was named as a Giuliani foreign policy advisor. In an article entitled, *The Case for Bombing Iran* Podhoretz wrote, "In short, the plain and brutal truth is that if Iran is to be prevented from developing a nuclear arsenal, there is no alternative to the actual use of military force - any more than there was an alternative to force if Hitler was to be stopped in 1938...Because such a campaign is beyond the capabilities of Israel, and the will, let alone the courage, of any of our other allies, *it could be carried out only by the United States.*" Daniel Pipes, who advocates the collective punishment of Palestinians such as razing entire villages, just as the Nazis carried out collective punishment against the Jews, was also a Giuliani advisor on Iran who believed America should bomb these weapons manufacturing facilities. Stephen Rosen, a Harvard University Olin Foundation-funded national security professor was another. Rosen's work focused on "understanding the way in which unfamiliar actors in the international environment perceive their own strategic position, the behavior of the United States, and then make decisions relevant to the national security of the United States. The new actors include actors within the Islamic world, and *actors making decisions about the acquisition and use of nuclear weapons.*"³⁰⁴ Martin Kramer an Israeli-American Olin Institute expert on Shi'ism and a hardliner on Iran was yet another. Kramer regards Muslims as universally inferior,

“Hundreds of millions of Muslims live alongside us and among us inhabit another mental world”³⁰⁵ Giuliani’s advisors read like a voter registration list of the rightwing of the Israeli Likud party.

Had Giuliani been elected President his “human rights” expert would have been Ruth Wedgwood. Ruth Glushien Wedgwood was the daughter of Morris P. Glushien, who was general counsel for the International Ladies Garment Workers Union for a quarter-century. Morris had *rachmunis* – Yiddish for sympathy for others. Now his daughter is aligned with numerous neo-con think tanks that oppose the minimum wage. During World War II, Morris Glushien volunteered for the Army Air Corps, worked on cracking Japanese codes and served in India with the Office of Strategic Services, the precursor to the CIA. Now Helen Wedgwood is on the Orwellian CIA Historical Review Committee, which determines which CIA documents to release that will paint the CIA in the most favorable light. In 1982 Ruth Glushien married into the Wedgwood China family making her an honorary WASP. Ruth is a long time friend of Paul Wolfowitz, the ringleader of the neo-cons. In November 2002 she wrote, “We are now forced to admit that Saddam Hussein has renewed his 20-year campaign to acquire weapons of mass destruction (WMD).”³⁰⁶ Had Giuliani been elected president, he would have been the first American president required to register under the Foreign Agents Registration Act, because he would have been more interested in furthering the interests of Israel than the United States.

This is partially a result of the fact that Giuliani believed Jews were superior and Blacks were inferior. A disproportionate number of his advisors were Jews and none were Black. More importantly none of the other frontrunners in the Republican race had close connections to the Shockleyite Manhattan Institute for Policy Research as Rudy did. William Casey started the Manhattan Institute in 1978. Casey was a Wall Street investor who had served in the Office of Strategic Ser-

vices and who went on to run the CIA.³⁰⁷ Casey was a CIA asset and a faction of the CIA secretly funded the Manhattan Institute. That's how these rascals got their start. The Scaife Foundation, the Olin Foundation and the Bradley Foundation also sponsored it. What is a Shockleyite operation? William Shockley, the inventor of the transistor, put forth the theory that it was the Blacks who were genetically inferior, not the Jews or the Asians. The Manhattan Institute types witnessed the total deterioration of parts of New York City when the Blacks moved in. These reinforced their Shockleyite beliefs that Blacks were genetically inferior and were the destroyers of civilization. Charles Alan Murray an obscure, 39-year-old, out-of-work Scotch-Irish political scientist put the Institute's thoughts into words. In the fall of 1982 Murray received a \$30,000 grant from the Manhattan Institute to write a book entitled *Losing Ground*, which claimed America's welfare policies were creating a permanent underclass.

When Giuliani became Mayor he immediately scaled back the welfare rolls, as Murray suggested. Giuliani openly admitted that he hoped this would drive the Blacks from New York City. The Manhattan Institute opposed affirmative action, rent control, and divestment of South African holdings and anything that might in anyway benefit Blacks. By August 1984 Murray was a senior fellow at the Institute. In the early 1990's the Manhattan Institute targeted New York City's first Black Mayor, David Dinkins. Rudy had a similar agenda. In September 1992 Giuliani spoke at a rally of racist NYPD cops who carried signs that described Mayor Dinkins as a "men's room attendant" - another way of saying "nigger." Giuliani broke the law by using loud and obscene language in public that day when he used the word "bulls**t" - "The mayor doesn't know why the morale of the New York City Police Department is so low. He blames it on me, he blames it on you: BULLS**T!! The reason the morale of the police department is so low is one

reason and one reason alone, David Dinkins!" By breaking the law Giuliani gave the nod to the thousands of police officers who gathered to hear him that lawlessness on their part was in order. Police stormed their own barricades and began an impromptu rowdy demonstration on the steps of City Hall. Black police officers asked that a special prosecutor investigate Giuliani for inciting a riot. After Giuliani became mayor, the police came to believe that forming affinity groups to administer extra-legal punishment would be tolerated during "Giuliani Time."

It was in this racially charged atmosphere in 1994 that the Olin Foundation, the Bradley Foundation and others paid Charles Murray \$500,000 to write a book "proving" African-Americans are congenitally mentally inferior. The book was titled *The Bell Curve* and its researchers had a \$2 million budget. Close to half the footnotes that cited authors who supported *The Bell Curve's* chapter that suggested Blacks are congenitally inferior referred to Pioneer Fund recipients. Over a 10-year period the Pioneer Fund contributed \$3.5 million to the *Bell Curve* researchers.³⁰⁸

The Pioneer Fund supports research in eugenics – "cleaning up" or "ethnic cleansing" of races it deems inferior. The problem here is that it periodically changes its position on which race is inferior. In 1936, the year before the fund was set up, its two founders distributed one of Hitler's propaganda films entitled *Hereditary Defective* to American high schools. This film portrayed Jews as congenitally defective. After World War II the Pioneer Fund members became Shockleyites and decided that Jews were actually superior in intelligence to Whites and were *ubermenschen*. None-the-less no Jew has ever served as a Board of Director of the Pioneer Fund, although at least two Jews have received grants. If the Pioneer Fund members really want to clean up the human race, they should sterilize themselves.

Charles Murray became an embarrassment to the Manhattan Institute since he revealed the fact that it is a Shockleyite group and he was moved over to the American Enterprise Institute. Then, in 1996 George Kelling, a former Transit Cop and Manhattan Institute beneficiary authored *Fixing Broken Windows*. The thesis of this book was that the police should stop writing Desk Appearance Tickets for minor offenses and instead put everyone through the system. Without approval from the State Legislature Violations were kicked up a notch to Misdemeanors through administrative orders. This resulted in the creation of a vast criminal database that would prove useful later on since violators of *quality of life* laws are more likely to become criminals later in life. According to Kelling the focus of law enforcement should be in the ghetto where crimes like fare jumping, pot smoking and public drinking were endemic. Again Giuliani saw this as a way to indirectly attack Blacks and he adopted this methodology. As crime decreased Giuliani's popularity with law-biding Blacks increased.³⁰⁹ As a national figure, Giuliani still has a close connection to the Manhattan Institute and Walter Olson, a senior fellow there signed on to head Giuliani's Justice Advisory committee.

On another front Giuliani's Deputy Mayor Peter Powers presided over meetings wherein the budgets of city agencies were cut and the idea of privatizing the water system in New York City along with the Health and Hospitals Administration was discussed. These changes would have hurt Blacks. Giuliani refused to meet with Black leaders at the beginning of his term in office to discuss the effects of privatization on the underclass. Powers explained, "Mr. Giuliani was intent on marginalizing these critics - even if he had to shun much of the Black establishment. You are talking about some of the people who had been around for a while. Maybe we thought someone else deserved that role." It was not up to *Masa Powers* to

determine the identity of Black leadership; it was up to the Blacks.

Giuliani also used the drug laws as a way of locking up Blacks. When the United States Sentencing Commission, which already had reduced the sentencing guidelines for crack offenses effective November 1, 2007 held a public hearing to consider making the change retroactive, Giuliani objected, "I would not want to let people out of jail who are in there for crack cocaine. I would not think we would want a major movement in letting crack cocaine dealers out of jail. It doesn't sound like a good thing to do." U.S. District Judge Reggie Walton noted that the commission made retroactive changes in the guidelines for marijuana, LSD, and OxyContin, which are used and dealt primarily by whites. Blacks, who account for the vast majority of crack offenders, would notice if "this was done for one segment of society but not for another."³¹⁰

Aside from being a racist Giuliani has certain authoritarian, totalitarian tendencies that might have been perceived by Republican voters. Eternal vigilance is the price of liberty. If a WMD attack occurred in the United States "President Giuliani" wouldn't hesitate to declare a state of national emergency, declare martial law, curtail civil liberties, cancel elections and become America's first out and out dictator. His proclivity first surfaced after 9/11 when Giuliani asked that elections be suspended and his term extended 90 days. Another indication of this is that Giuliani's Justice Advisory Committee was populated with anti-democratic lawyers who could argue that Giuliani's emergency actions were constitutional. Team leader Ted Olson of Gibson, Dunn & Crutcher, argued the case of *Bush v. Palm Beach County Canvassing Board* and *Bush v. Gore*, stemming from the theft of the 2000 presidential election. Douglas R. Cox, also of Gibson, Dunn & Crutcher, one of the team members, played a principal role in the firm's successful representation of President Bush before the Supreme Court of

the United States in litigation stemming from the disputed ballot count in Florida during the 2000 presidential election. Advisor Larry Thompson played a key role in drafting the Patriot Act. Adam Goodman who helped Giuliani win re-election as New York mayor in 1997 became a political advisor to Katherine Harris when she ran for the U.S. Senate. Harris had served simultaneously as Florida's top election official and co-chairman of the Bush campaign in the state when she certified the ballots in the 2000 presidential election, despite hanging *chads* and other irregularities. Adam's father, Robert Goodman produced television ads for Carl R. Channell, who pleaded guilty to illegal use of money he raised for the Nicaraguan rebels. He also received indirect funding from the State Department to produce anti-Sandinista propaganda.³¹¹ The Goodman's were the first to market candidates, as an advertising agency would market any other commodity, cheapening the democratic system.

Steven Calabresi, Co-Founder of the Federalist Society was another Giuliani team member. The Federalist Society believes America is a republic, not a democracy. This belief is based on the Federalist Papers in which James Madison and others made it clear that they did not want mob rule to prevail and in order to prevent this there had to be some sort of body to identify and counter it. Madison believed that a republic was better than a pure democracy because it would temper democracy, "...refine and enlarge the public views, by passing them through the medium of a chosen body of citizens, whose wisdom may best discern the true interest of their country, and whose patriotism and love of justice will be least likely to sacrifice it to temporary or partial considerations." The "medium of a chosen body of citizens" was the Electoral College, which the Madisonians hoped would be comprised of wise men, not *wise guys*.

In the 1990's three Federalist Society lawyers, Jerome M. Marcus, Richard W. Porter and George T. Conway, played important but covert roles in helping Paula Corbin Jones sue President Clinton for sexual harassment. They also worked behind the scenes to disclose Clinton's affair with Monica Lewinsky. This observer viewed this scandal as an *attempted bloodless coup*. Kenneth Starr, former White House Independent Counsel whose investigation led to President Clinton's impeachment, is a member of the Federalist Society.

Evidence of Giuliani's anti-Democratic tendencies also surfaced in his choice of foreign policy advisors: Martin Kramer is a self-proclaimed "democratization skeptic," who subscribes to a distinctly different worldview than that of the neo-conservatives who promoted democratic elections in Iraq, Lebanon and the Palestinian territories. He believes in dictatorships in the Middle East, what he calls the "consensual authoritarianism" of strong, stable central governments.³¹² Michael Rubin was another Giuliani advisor with anti-democratic tendencies who favors repealing the law against the assassination of foreign leaders presumably by the CIA. Rubin has stated, "If a single bullet or bomb could forestall a far bloodier application of force, would it not be irresponsible to fail to consider that option...?"³¹³

Giuliani expressed distrust in democracy in *Foreign Affairs Magazine*, "Elections are necessary but not sufficient to establish genuine democracy. Aspiring dictators sometimes win elections, and elected leaders sometimes govern badly and threaten their neighbors. History demonstrates that democracy usually follows good governance, not the reverse."³¹⁴

In the same article Giuliani praised the regime of Fulgencio Batista, the dictator of pre-Castro Cuba: "Cuba has long stood out in Latin America, first as one of the region's most successful economies, later as its only communist police state. The death of Fidel Castro may begin a new chapter in Cuban

history. But America should take nothing for granted. It must stand ready to help the Cuban people reclaim their liberty and resist any step that allows a *decrepit, corrupt regime* from consolidating its power under Raul Castro."

Pre-Castro Cuba was run by decrepit Mafia Commission members like Meyer Lansky, Santo Trafficante and others who used corrupt Cuban politicians like Batista as their surrogates to steal the nation's wealth, smuggle heroin, run casinos, brothels and sex shows. Castro curtailed all these activities just as Giuliani did to a lesser extent in New York City. Giuliani doesn't realize how much in common he has with Fidel Castro or other dictators: Ed Koch likened Giuliani to former Chilean dictator Augusto Pinochet. According to Koch, Giuliani "used the levers of power to punish any critic. He doesn't have that right - that's why the First Amendment is so important."

Giuliani's unseen running mate in his bid for the 2008 Republican presidential nomination was fear. It was in the ruins of Ground Zero that Giuliani's presidential ambitions became plausible. If Giuliani ran for president in November 2001 voters would have been so frightened they wouldn't have cared if he skipped not just the Iowa, Wyoming, Michigan, Nevada, South Carolina and Louisiana primaries, but all of the *Super Tuesday* ones as well (Rudy had spent \$3 million and made 124 appearances in New Hampshire). But 9/11 had caused a change in priorities for the FBI. Drugs had been the main concern of the pre-9/11 FBI. According to an external review of the FBI in 2000 there were twice as many agents devoted to drug enforcement matters as to counterterrorism. On September 11, 2001, only about 1,300 agents, or six percent of the FBI's total personnel, worked on counterterrorism.³¹⁵ According to a *Congressional Research Service* report, "the events of September 11th made clear the need to develop a definitive list of priorities. In June 2002, the FBI's director announced 10 priorities. The top 2 priorities were to protect the United States

from terrorist attack (counter-terrorism) and to protect the United States against foreign intelligence operations and espionage (counter-intelligence). Drug crimes that were not part of transnational or national criminal organizations were not specifically among the FBI's top 10 priorities."³¹⁶ Rudy's policies as Mayor of New York City mirrored those of the pre-9/11 FBI and while he was busy claiming pot was a "gateway drug" that led to heroin addiction he only mentioned terrorism once prior to 9/11, when he made a reference to the first jihadi attack against the World Trade Center in 1993. It was this mentality that was shared by Giuliani, the Justice Department, the FBI and *Contract With America* politicians like Newt Gingrich that allowed al-Qaeda operatives to train for their suicide mission within the borders of the United States undetected.

9/11 caused the FBI to revert back to its original mission and instead of drug dealers it focused on terrorists. As a result there have been no major terrorist attacks within the United States since September 11th and by 2008 America had fallen back into its usual state of over complacency. The myriad references Rudy made to 9/11 no longer resounded with the electorate. Alas, poor Rudy was unable to pander to voter's fears and he became a relic and a throwback to times past.

Additionally the question remains, "Was Rudy a hero of 9/11 or did his actions lead to additional deaths?" Senator McCain should remember the families of firefighters killed during 9/11 that stalked Rudy in Florida. They believed that Giuliani's policy of fiscal austerity resulted in their husbands and fathers not getting the communication equipment they needed to survive 9/11. After 9/11 Giuliani never meaningfully enforced federal requirements that those at the site wear respirators. At the same time, the Giuliani Administration warned companies working on the rubble that they would face penalties or be fired if work slowed. More than 2,000 New York City firefighters have been treated for serious respiratory

problems. While numerous officials wanted to locate the Mayor's Emergency Command Center in Brooklyn, Rudy insisted on being closer to City Hall, despite its proximity to a previous terrorist target. In 1999 Rudy used the Command Center to have sex with Judith Nathan. Was this why he wanted it close by? Fire Department officials questioned the storage of large amounts of fuel well above the ground level of 7 World Trade Center, saying that one large tank for the mayor's emergency command center, if ever compromised, might fuel a fire that would threaten the building. And that was exactly what happened when debris fell from the World Trade Center Twin Towers.

Due to his military record Senator McCain enjoys the reputation of being courageous. He should take note of the fact that another reason Giuliani's presidential bid imploded was because Americans sensed that Giuliani talked the talk but in reality was a coward. Rudy lost his status as front-runner in mid-December 2007. A week later while he was in Missouri he turned around his campaign plane after experiencing "the worst headache of [his] life." He checked into the highly rated Barnes-Jewish Hospital in St. Louis, but the doctors found that there was nothing wrong with him. He was released the next day. All he had was a bad headache and he threw a sissy fit! Senator McCain, who was once a prisoner of war in North Vietnam, should realize that the real Giuliani is a simpering wimp who weaseled out of fighting in Vietnam. Rudy received one student deferment while at Manhattan College, a second deferment while at NYU Law School, and a third, special request deferment from his employer, Federal Judge Lloyd MacMahon. By that time the universal draft had ended and Rudy, like so many others, got the right number in the draft lottery. When Giuliani was Mayor of New York City he was associated with Lawrence V. Ray, who dirtied up high-ranking

American military officers in order to convince the mob that he was a high level fixer.

When Rudy hit the campaign trail he appeared to be a watered-down version of Rudy. His buddies at the Manhattan Institute detected this and pointed to his “sometimes baffling passivity as a candidate.” What happened to his fire? Evidence suggested that a major factor in Rudy’s aggressive, combative personality had been his *libido*. Although his current wife calls him “my testosterone husband” it is more likely that Rudy suffers from erectile dysfunction due to his bout with prostate cancer. This has affected his personality.

Senator McCain should come to understand that Rudy his not as smart as he is cracked up to be. He ran the worst campaign in American history. Rudy’s strategy, formulated by cronies such as bartender Anthony V. Carbonetti, was to *diss* the voters of five states by ignoring their caucuses and primaries. As a result he received 4% of the vote in Iowa, Michigan 3%, South Carolina 2% and Nevada 2%. This marginalized Rudy. He ended up with 3% of the total vote. Congressman Ron Paul was next to last with 10% of the vote while Fred Thompson had 13%. As we all know the Giuliani election strategy was to concentrate on the winner-take-all state of delegate rich Florida. The more he campaigned there the fewer the voters liked him and the less he seemed to like the voters. His Secret Service detail treated a group of his supporters as security risks telling them to remain seated so Rudy could leave the venue, his handshake was devoid of feeling and he still wore his dark power suits on the campaign trail.³¹⁷ He picked up a few votes from transplanted Jews who remembered how he changed New York City but despite his selling himself as the candidate most likely to unseat Fidel, the Cuban community went for McCain. He ended up with 15% of the vote. It was not Giuliani’s past that turned off Florida’s Republicans around, as they were aware of his defects as a social

conservative when, in November 2007, he was ranked #1 in Florida and #1 in the national polls. It was his supercilious, condescending personality that turned off the electorate. He sent out bad vibes with the same intensity Radio Moscow sent out radio waves during the Cold War. Rudy spent 52.5 million dollars for one delegate. He ran the least efficient primary campaign in American history.

When it comes to gays Giuliani differs radically from the Republican Presidential nominee Senator John McCain. McCain supported a narrowly defeated initiative that would have changed Arizona's Constitution to ban gay marriages and deny government benefits to unmarried couples.³¹⁸ "I believe that the institution of marriage should be reserved for the union of one man and one woman," said Senator McCain. "I wholeheartedly support the Protect Marriage Arizona Amendment and I hope that the voters in Arizona choose to support it as well."

Giuliani was smart enough to withdraw and endorse, therefore not splitting moderates and independents. He campaigned for McCain in the tri-state area. McCain's biggest win was New Jersey, and his wins in New York, New Jersey and Connecticut were larger than his margin in Arizona. Giuliani's votes in California and Illinois also helped McCain. As a result McCain owes Giuliani. If elected President McCain might try to resuscitate his fallen comrade. The two men share certain similarities. McCain was allegedly involved in an adulterous sexual affair or thinking about getting involved in one. *The New York Times* reported that the potential *femme fatale* was lobbyist Vicki Iseman and linked his relationship to favors he did for companies that she represented. *The Times* overlooked the fact that Iseman is linked to a rightwing Likud group that attempted to free Israeli MIAs held by Islamists. The now-defunct organization was known as *The International Coalition for Missing Israeli Soldiers*. The ICMIS website stated, "ICMIS is

based in Jerusalem, and is funded exclusively by donations from concerned individuals who wish to support this humanitarian cause." None-the-less the intelligence community often sponsors seemingly independent organizations as a means of making negotiations with the enemy more palatable. Alyza Lewin was Vicki's close associate at ICMIS. Alyza Lewin is a partner in the father and daughter law firm of Lewin and Lewin. There is no doubt that her father, Nathan Lewin, is the house attorney for the Israeli espionage network operating in the United States. His Department of Justice bona fides make him a valuable asset. A June 1985 article by Max Holland in *The Nation* alleged for the past seven years, "Stephen Bryen has had the threat of prosecution hanging over him. He is alleged to have leaked government documents to the Israelis, and whenever the issue seems to have gone away, like herpes it breaks out Bryen obtains a lawyer, Nathan Lewin, and the case heads for the grand jury, but is mysteriously dropped. Bryen later goes to work for Richard Perle." Lewin later became AIPAC's lawyer and according to Eli Lake in the *New York Sun*, "Heard the highly classified case against [two AIPAC employees] and advised the organization to sever its relationship with the two. The charges against Rosen and Weissman, which have yet to be made publicly, were so secret that Mr. Lewin needed security clearance just to hear them."³¹⁹ Nathan Lewin wrote: 'Studies of Palestinian suicide bombers and of those who, knowing their death was imminent, carried out the September 11th horror indicate that most were closely knit to their families - to parents, brothers, and sisters. Indeed, these family members routinely give press briefings extolling the suicide killers, and they are the recipients of financial bounties from supportive Muslim charities and governmental organizations. What if Israel and the United States announced that henceforth the perpetrators of all suicide attacks would be treated as if they had brought their parents and brothers and

sisters with them to the site of the explosion? Suicide killers should know that they will take the lives of not only themselves and the many people they don't know (but nonetheless hate) in the crowd that surrounds them when they squeeze the button that detonates their bomb, but also the lives of their parents, brothers, and sisters."³²⁰

Other members of ICMIS with intelligence community connections included the administrative director of the coalition Brigitte Silverberg who worked with Yona Baumel. Brigitte stated, "Yona Baumel may look like a congenial granddad, but this man has connections to former KGB intelligence agents and all kinds of shady and shadowy sources in the Arab world."³²¹ Iseman also worked with Daniel Grisaru whose bio stated, "Grisaru has significant experience in media, communications, public relations, non-profits and government. Most recently, he served as the International Coalition for Missing Israeli soldiers Chief Communications Officer where he established himself as a key player in building the right connections with the leading military and governmental personalities, foreign governments, Embassies in Israel, Jewish and Christian non profit organizations. [He was a] professional public affairs analyst, strategist and lobbyist for more than 12 years. Communications advisor for Likud Knesset candidates & candidates for positions in the Municipal governments, Jewish Agency, & the Jewish National Fund, Spokesperson for the Israeli Bio Tech industry...in Israeli Home Land Security and Military national corporations and international corporations."³²² There is definitely something suspicious about someone from this milieu being involved in a sex scandal with a United States Senator. The only other alternative is that Vicki mistook McCain's dick for a mezuzah and tried to kiss it.

Currently McCain must choose between two camps of foreign policy advisors – pragmatists like Colin Powell and Brent Scowcroft and neo-cons such as Robert Kagin and

Randy Sheunemann, who helped create the propaganda that convinced America to go to war in Iraq. Sheunemann represents the interests of the armament industries while Kagin, a member of the American-Jewish aristocracy voices the desires of those Jews unhappy with Israel's lack of retaliation against Iraq for terrorizing the Israeli population with SCUD missile attacks. All of Israel was huddled behind plastic sheeting; terrified that Saddam might have armed the missiles with chemical or biological or radiological warheads. Kagan and other neo-cons, some of whom held key positions at the Pentagon, were able to obtain a great deal of power within the Bush Administration, enough to have America do Israel's retaliation for it in spades. With the Vickie Iseman types around McCain, you can bet that he will go with the neo-cons, rather than the pragmatists, despite the fact that the neo-cons have paved the way for Israel's destruction by making it impossible for the United States to destroy Iran's atomic weapons production facilities, thanks to the failure of the Iraqi occupation.

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1. The Log Cabin Republicans are a national gay and lesbian conservative group.
 2. Bundlers included Carl Icahn, Donald Trump, insurance titan Hank Greenberg, Yankee President Randy Levine and Bill and David Koch.
 3. <http://www.cs.cmu.edu/afs/cs.cmu.edu/user/scotts/bulgarians/nature-nurture/bailey-pillard.html>
 4. Since there is no consent in child molestation it should be classified as rape and the penalties of child molestation and rape should be the same.
 5. <http://www.prideagenda.org/campaigns/giuliani.html>
 6. Lesbian Gay Bisexual Transgendered
 7. North-American-Man-Boy-Love-Association. A pro-pedophilia group
 8. http://www.washingtonpost.com/wp-dyn/content/article/2007/08/18/AR2007081801022_pf.html
 9. Anthony Summers *The Secret Life of J. Edgar Hoover* 1993. Summers quoted Susan Rosenstiel, fourth wife of Lewis Rosenstiel, chairman of Schenley Industries, a liquor distiller with mob connections, as saying she witnessed Hoover cross-dress. Although Susan's story was embellished, her husband was close to mob lawyer Roy M. Cohn a closeted homosexual who died of AIDS. Cohn would have been in a position to know Hoover's secrets. NYPD detective Matty Rosenthal told this author that he had interviewed underage Puerto Rican boys who claimed Cohn molested them. Despite the fact they could describe the interior of Cohn's home down to the minutest detail charges could not be brought against Cohn due to his political connections.
 10. *HOMOTHUG* is based upon information found on the Internet, in tape-recorded interviews, newspaper articles, and court documents obtained from state, federal courts and from documents acquired from the Atlantic City Casino Control Commission. Only one confidential source is cited. With this sole exception the information contained herein is universally verifiable. Note: If Internet footnotes no longer exist go to Internet Archives. If you are not sure of the validity of a passage try copying it then pasting it into Google with quotations marks as a lot of my sources are taken from the Internet verbatim.
 11. <http://query.nytimes.com/gst/fullpage.html?res=9F0CE1DE173BF937A35752C1A965958260>

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12. <http://www.gothamgazette.com/iotw/gayrights/>
 13. Sexual lubricant used to facilitate anal sex
 14. Conversation with journalist Doug Ireland circa 1986
 15. Meyerson's boyfriend was Carl Capasso, a sewer contractor an associate of Mafia boss Matthew (Matty the Horse) Ianniello. AUSA Giuliani prosecuted Bess Meyerson charging, among other things, that Meyerson had hired a judge's daughter to bribe her mother and get her to expedite Capasso's divorce. The jury acquitted all concerned.
 16. <http://www.newsweek.com/id/72121/page/1>
 17. <http://www.washingtonpost.com/wp-dyn/content/article/2007/12/15/AR2007121501916.html?hpid=artslot>
 18. On April 25, 1979 Adolph was in a *Times Square Automotive Parts Store* making a purchase when he slipped on a puddle of motor oil left by a careless employee. As a result he fractured several spinal vertebrae. This caused severe aggravation of pre-existing lung and kidney conditions and led directly to his death within two months of this accident. *Rose Placa v Times Square Stores* Supreme Court State of NY Nassau County 013110/1981
 19. *Time Magazine* Person of the Year December 31, 2001
 20. <http://www.prideagenda.org/campaigns/giuliani.html>
 21. *The Advocate* June 28, 1994
 22. <http://homepage.psy.utexas.edu/homepage/class/Psy158H/PrevHonors/Z111/project.htm>
 23. <http://www.joelderfner.com/blog/2005/03/>
 24. <http://www.amazon.com/Queens-Throat-Homosexuality-Mystery-Desire/dp/0306810085>
 25. <http://www.medicalnewstoday.com/articles/28561.php>
 26. *New York Times* June 9, 1985 High Profile Prosecutor
 27. Author's conversation with Montfort Brothers
 28. <http://www.centredaily.com/news/politics/story/219471.html>
 29. William Downey, 57-year-old retired Manhasset businessmen, said he was expelled from the master's in theology program for lay men and women at the Seminary of the Immaculate Conception in Huntington after threatening to publicize his complaints that professors distributed what he described as "lewd and pro-homosexual materials," including a pamphlet advertising books that affirmed gay and lesbian Christians. (*Newsday* January 21, 2003)
 30. <http://blabbeando.blogspot.com/2006/06/honored.html>

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31. <http://www.nyc.gov/html/om/html/96/sp290-96.html>
 32. Powers has another daughter named Krista Ingrassia Powers.
 33. http://www.bishop-accountability.org/news/2007/03_04/2007_02_28_Lewis_GiulianiPartners.htm
 34. http://www.bishop-accountability.org/resources/resource-files/reports/Suffolk_F_Placa.pdf
 - http://www.bishop-accountability.org/news/2003_02_11_Laikin_ChapterAnd.htm
 35. Recorded tel/con w/Scordato
 36. E-mail to ABCNews.com
 37. <http://lonestartimes.com/2007/12/10/giuliani-hannity-and-the-accused-molester/>
 38. Carol Eisenberg *Newsday* June 3, 2002
 39. http://www.bishop-accountability.org/news/2002_06_03_Eisenberg_MisconductConcerns_RC.htm
 40. <http://query.nytimes.com/gst/fullpage.html?res=9405EFDB153FF93AA25757C0A9649C8B63&n=Top/Reference/Times%20Topics/Organizations/R/Roman%20Catholic%20Church>
 41. *New York Times* September 30, 1979 Long Island Weekly Page L16
 42. http://www.worcestervoice.com/Advocates/an_american_investigative.htm
 - <http://www.bishop-accountability.org/news/2002-04-19-Chen-PriestOusted.htm>
 43. Interview with Richard Tollner October 10, 2007
 44. Grand Jury Ex. 181
 45. <http://www.worcestervoice.com/House.htm>
 46. http://www.snapnetwork.org/news/massachusetts/worcester/WORC_Kane_on_leave.htm
 47. http://www.snapnetwork.org/news/massachusetts/worcester/WORC_Placa_ties.htm
 - http://www.worcestervoice.com/robert_a_shauris.htm
 48. <http://www.bishop-accountability.org/news/2002-04-19-Chen-PriestOusted.htm>

49.

http://www.snapnetwork.org/news/massachusetts/worcester/worc_wall_s_hame.htm

50. <http://www.bishop-accountabili->

ty.org/news/2002_02_25_Washington_OtherPriests_RIORDAN.htm

51. Kane had placed Babak on the payroll of The House of Affirmation as a shadow employee.

52. <http://www.dailynewstranscript.com/archive/x870134520>

53. A group formed in response to the scandals. Bishop William Murphy banned the organization from holding a Mass on diocese grounds. The group got permission to hold the Mass from the Montfort missionaries, a Catholic religious order that does not fall directly under diocese control.

54. <http://sli.org/page9.html>

55. <http://www.cin.org/archives/cinjub/200304/0027.html>

56. It should be noted that eating shrimp or lobster is also an abomination.

57. Gay culture term used to denote older males who prefer young boys for partners, who may less often be called "chickens."

58.

http://natcath.org/NCR_Online/archives2/2003a/022103/022103g.htm

59. Suffolk County Grand Jury Exhibit 154F

60. http://www.votf-li.org/Sally_Butler.html

61. <http://www.votf-li.org/jimcruise.htm>

62. Supreme Court County of Nassau Index 005784/2003

63. <http://www.votf-li.org/jimcruise.htm>

64.

<http://query.nytimes.com/gst/fullpage.html?res=9D07E1DE153DF933A15751C0A9659C8B63>

65.

http://natcath.org/NCR_Online/archives2/1999b/050799/050799e.htm

66. Nassau County Supreme Court Mineola 021421/86 Eric Herman, an infant, by his mother and natural guardian, *Harriet Herman v. Placa*.

67. Conversation with Raymond Trypuc Sr. October 16, 2007

68. <http://www.bishop-accountability.org/news/2002-05-14-Wick-25000Loaded.htm>

69. Suffolk County Grand Jury Exhibit 77

70. Suffolk County Grand Jury Exhibits 74, 75, 76

71. Suffolk County Grand Jury Exhibit 77

72. Suffolk County Jury Exhibit 78

73.

<http://www.hopkinsandcompany.com/Books/The%20Church%20That%20Forgot%20Christ.htm>

Letter from Raymond Trypuc Sr. to author October 24, 2007

74. Supreme Court of the State of New York County of Nassau 018234 / 1998

75. http://www.bishop-accountability.org/news/1997_03_13_Vincent_2ndSex_MOTT.htm

76. http://www.bishop-accountability.org/news/2002_06_07_Ciolli_LawFirm_RC.htm

77.

http://www.snapnetwork.org/legal_courts/stories/ny_lawsuit_goes_trial.htm

78. <http://www.renewamerica.us/columns/gaynor/070817>

79. http://www.bishop-accountability.org/news/2002_06_03_Eisenberg_MisconductConcerns_RC.htm

80. http://www.bishop-accountability.org/complaints/2003_04_14_Compasso_v_Vollmer_RC.htm

April 14, 2003 Supreme Court of the State of New York County of Nassau Plaintiffs Brian Compasso, Wayne Compasso, Joseph Russo, Louis Martino, Matthew Mosher, and Daniel Hunter, Verified Complaint Against Reverend Eugene Vollmer, Reverend Angelo Ditta, Estate of Reverend William Michael Burke, Brother Howard Murphy, Monsignor Alan Placa, Monsignor Francis J. Caldwell, Monsignor John Alesandro, Bishop William Francis Murphy, Roman Catholic Diocese of Rockville Centre.

81. Slip Op 1245, 2006 NY Lexis 196

82. *Compasso v Vollmer* 2 Index #5784/2003 Dated: APR 28 2006

83. Suffolk County Grand Jury Exhibit 43

84. http://www.bishop-accountability.org/news/2003_02_13_Breslin_BetrayedBy_McKEON.htm

85. http://www.bishop-accountability.org/news/2002_06_03_Eisenberg_MisconductConcerns_RC.htm

86. http://www.salon.com/news/feature/2007/06/22/placa/index_np.html

87. <http://www.salon.com/news/feature/2007/06/22/placa/print.html>

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88. When Pope Benedict visited New York City Rudy was given communion along with 3,000 others. Cardinal Edward Egan revealed that Rudy had agreed not to receive communion due to his views on abortion and had violated his pledge.
89. <http://www.votf-li.org/letter-to-bishop-re-Placa.html>
90. <http://www.bishop-accountability.org/news/2002-06-15-Janison-FriendsDefend.htm>
91. *New York Daily News* January 4, 2003, New Long Island Priest Shocker Convicted Rev. Says Monsignor Paid To Hush Up Abuse
http://www.bishop-accountability.org/news/2003_01_04_Harmon_NewLI.htm
92.
http://weblogs.newsday.com/news/local/longisland/politics/blog/2007/10/giuliani_on_msgr_placa_one_of.html
93. http://www.salon.com/news/feature/2007/06/22/placa/index_np.html
94. *New York Times* September 2005 http://www.bishop-accountability.org/news/2003_02_20_Barry_LIMonsignor.htm
95.
<http://select.nytimes.com/mem/archive/pdf?res=FA0E1EFC3D59177B93C0AB178ED85F478585F9>
96. b. June 28, 1920 d. December 22, 1998 married to Anna Marie Peruggi b. November 26, 1920 d. May 14, 2003
97. Rodolfo Giuliani, b. Italy, son of Angelo and Maria Serrini, m. Angelina Giuliani, b. Italy, daughter of Domenico and Maria Baldecchi, April 18 1907 in Manhattan
98. b. 1888 d. 1980 married to Salvatore Peruggi Sr. b. 1882 both arrived in the US on June 13, 1914
99.
<http://query.nytimes.com/gst/fullpage.html?res=9402E4D61E3FF93AA25753C1A961958260&sec=&spon=&pagewanted=3>
100.
http://www.vatican.va/archive/ccc_css/archive/catechism/index/i.htm
101. *New York Times* January 19, 1951
102.
<http://query.nytimes.com/gst/fullpage.html?res=9402E2DA1338F937A35756C0A9679C8B63&sec=&spon=&pagewanted=print>
103.
<http://query.nytimes.com/gst/fullpage.html?res=9402E4D61E3FF93AA25753C1A961958260&sec=&spon=&pagewanted=6>

104. *New York Post* May 2, 1989

105. http://www.allreaders.com/rudy_giuliani.asp?autonumber=6

106. *New York Times* November 24, 1974

107. *Newsday* August 7, 2007. Tom Brune.

http://thetaskforce.org/TF_in_news/07_0813/stories/5_Activists_Rudy_gay_rights.pdf

108. <http://www.michnews.com/cgi-bin/artman/exec/view.cgi/382/15972>

109. (b. 1965 Giuliani's press secretary 1993 to 1999)

110. In July 1994 it was disclosed that Howard's cousin, William Koeppel had provided choice apartments during the campaign and the early months of the administration to 15 Giuliani aides under leases that allowed some of tenants to put off paying rent for one to three months. Lategano was one of the recipients of Koeppel's largesse. The leases raised questions about whether the apartments amounted to an illegal campaign contribution. William Koeppel was indicted in 1995 on charges that he illegally demanded contributions for the Giuliani campaign from tenants seeking rent-stabilized apartments. After pleading guilty, William Koeppel paid fines and did community service. Howard Koeppel was not implicated in either case. Rudy appointed William to an unpaid position on the board of the Off-Track Betting Corporation.

111.

http://www.nytimes.com/2007/10/21/us/politics/21values.html?_r=1&oref=slogin&pagewanted=print

112. These trips were billed to the Loft Board, the Office for People with Disabilities and the Procurement Policy Board, as well as \$400,000 to the Assigned Counsel Administrative Office for "security purposes." Rudy claimed he did this to expedite the payments.

<http://www.newsday.com/news/nationworld/nation/ny-usrudy1129,0,3542705.story>

113. <http://www.villagevoice.com/news/0732,barrett,77463,6.html/5>

114.

<http://www.mdanderson.org/topics/sexuality/display.cfm?id=3ade9b61-ef51-4b57-9e87623f28568513&method=displayfull&pn=033766c5-832a-11d4-aec800508bdcce3a>

115. http://www.nydailynews.com/news/politics/2008/01/31/2008-01-31_how_judi_killed_off_rudy_giuliani.html?page=0

116.

<http://query.nytimes.com/gst/fullpage.html?res=9C0DEEDD113FF930A35752C0A96F958260&sec=&spon=&pagewanted=5>

117. <http://www.nyc.gov/html/om/html/2001a/pr217-01.html>

118.

<http://query.nytimes.com/gst/fullpage.html?res=940CE0DD123DF937A35753C1A961958260>

119. <http://www.nyc.gov/html/om/html/2001a/pr200-01.html>

120. <http://www.humanevents.com/article.php?id=16762>

121. <http://www.prideagenda.org/campaigns/giuliani.html>

122. *New York Times*, June 22, 1995

123. The Youth International Party: A loosely knit amalgam of social activists who favor the legalization of marijuana and the utilization of Ibogaine as a way to interrupt heroin addiction. Abbie Hoffman, Jerry Rubin, Paul Krassner and Dana Beal founded the Yippies in 1968.

124. http://www.nyclu.org/files/MARIJUANA-ARREST-CRUSADE_Final.pdf

125. *Deuteronomy* 22:5

126. Sara Kugler, AP

127. <http://www.workers.org/www/1999/logcab0923.php>

<http://www.villagevoice.com/news/9935,vincent,8026,1.html>

128. <http://www.cwfa.org/articles/318/CFI/cfreport/index.htm>

129. Int. 163; Int 303A <http://webdocs.nyccouncil.info/textfiles/Int 0454-1998.htm?CFID=815868&CFTOKEN=93188390>

<http://webdocs.nyccouncil.info/textfiles/Int 0163-1998.htm?CFID=815868&CFTOKEN=93188390>

<http://www.nyc.gov/html/cchr/html/ammend04.html>

130. <http://www.aegis.com/news/nyt/1985/NYT851202.html>

131. <http://www.villagevoice.com/news/0331,robbins,45878,1.html>

132. *New York Daily News* August 24, 2006

133. <http://www.time.com/time/printout/0,8816,969264,00.html>

134. Many Giuliani's changed their names to Juliano or Giuliano when they came to the United States.

135. His name is crossed out of a document found in Kings County Surrogate Court.

136. Brooklyn Criminal Court Case 1507/1944 2/262-B

137. *New York Times* June 9, 1985

138. In the 1950's *East Harlem* became *Spanish Harlem* after Puerto Ricans displaced most of the Italians who had moved to better housing in Brooklyn or Long Island.

139. 318 East 108th Street was the address where the Black Hand thug lived.

140. *New York Times* January 30, 1942

141. *New York Times* March 25, 1942

142. Court of General Session County of New York Ind. No. 2445-1958

143. <http://books.google.com/books?id=LG1SQ-uDuugC&pg=PA152&lpg=PA152&dq=%22bernard+glickman%22&source=web&ots=J4AkOAs9lh&sig=QjDsSchcWM5oHluyH7FgcxjztIx0#PPA154,M1>

144. *New York Times* March 31, 1966

145. <http://www.ootpdevelopments.com/board/showthread.php?t=80541>

146. *New York Times* November 14, 1952

147.

<http://select.nytimes.com/mem/archive/pdf?res=FB0915FF3D551A7B93CBA9178CD85F458585F9>

<http://select.nytimes.com/gst/abstract.html?res=F50D13F73458107A93CBA9178AD85F478585F9>

148. Sammy Kantor was a witness in the trial of Louis "Lepke" Buchalter, and had been convicted of election fraud, however, the conviction was reversed on appeal.

149. *New York Times* July 31, 1953

150. *New York Times* February 20, 1994

151. *New York Times* August 8, 1994

152. Office of the City Registrar Doc ID FT_1090004274709

153. http://a836-acris.nyc.gov/Scripts/DocSearch.dll/Detail?Doc_ID=2006020900634002

154. http://www.dasny.org/dasny/board/minutes/2_24_04.php

<http://www.manhattanda.org/whatsnew/press/2000-06-07.htm>

<http://www.giulianipartners.com/carbonetti.aspx>

155. City Magistrates Court of the City of New York Form of Consolidated Bail Bond. April 5, 1934

156. *New York Times* December 31, 1960

157. Spielmann was listed as executor of the Jacob Klett estate.

158. <http://netgoblinzinx.com/sonny/archives/category/mafia-families/page/2/>

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159. *New York Times* November 6, 1964
160. *New York Times* October 28, 1943
161. *New York Times* June 2, 1946
162. *New York Times* March 29, 1951
163. http://www.killthedutchman.net/chapter_1.htm
164. http://www.nydailynews.com/archives/news/2000/07/09/2000-07-09_uptown_politician_jimmy_hine.html
165. *New York Times* January 24, 1939, August 3, 1938
166. 100 Center Street Psychiatric Clinic document uncovered by Wayne Barrett dated May 18, 1934 signed by Benjamin Apfelberg, MD.
167. <http://205.188.238.109/time/printout/0,8816,827632,00.html>
168. This story aired shortly after I obtained the documents on Harold's arrest from Lenora Gidlund at the Municipal Archives. After I returned the documents Ms. Gidlund told me repeatedly that she had retained them and they were "on her desk" rather than having returned them to the storage facility from whence they came. Could Giuliani's campaign staff realized that I was about to bring them back to life and launched a pre-emptive strike to neutralize any damage they might have done with the ABC interview? I like to think so. After this the IRS began sending me dozens of letters regarding taxes that it knew I had already paid.
169. Joseph Gambino was the son of Maria and Dennis Gambino and the brother of Dennis Jr. and Bobby Gambino. His connection to the Gambino Crime family is unclear.
170. *New York Times*, September 20, 1989
171. His name did not surface in a search of Brooklyn Surrogate Court
172. Brooklyn Criminal Court 2035-52
173. *New York Times* January 2, 1969; *New York Times* April 10, 1959
174. <http://query.nytimes.com/gst/fullpage.html?res=9D0DE2DB1738F93BA15752C1A962948260>
175. <http://www.usdoj.gov/dea/pubs/states/newsrel/nyc031005.html>
176. Slang: to send someone to the hospital for a number of days.
177. <http://select.nytimes.com/gst/abstract.html?res=F10B1FFB385F177B93CAA9178ED85F468585F9>
178. http://www.newyorker.com/reporting/2007/08/20/070820fa_fact_boyer?printable=true

Logic dictates that if young Rudy were a Yankee's fan his favorite player must have been switch hitter Mickey Mantle, since Rudy himself was a switch hitter.

179. A Michael Mandelino of Brooklyn, New York, whose relationship to the Mandelinos in question has yet to be established, was found shot to death in the trunk of a car in Brooklyn on March 31, 1978. Mandelino had a record of arrests for robbery, burglary and drug charges. The police found his decomposed body wrapped in a plastic bag with his hands and feet tied.

180. Nassau County Clerk's Office Mineola Index 4056/56

181. A Fred Angelucci was involved with OC in Philadelphia.

<http://juryargument.homestead.com/GuestContribution1.html>

182. Brooklyn Criminal Court Case 242/59 Prisoner's Criminal Record FBI 55203E DCI 73679X B433657

183. Brooklyn Criminal Court Case 992/1962

184.

<http://select.nytimes.com/mem/archive/pdf?res=F00A17FD3E5E17738DDAA0894D1405B8788F1D3>

185.

<http://select.nytimes.com/mem/archive/pdf?res=F10D11F8355D147493C3A9178ED85F4C8685F9>

186. USDC EDNY 69-CR-370 Sentencing December 4, 1970 Honorable Joseph C. Zavatt

187. *New York Times* March 22, 1972.

188. Lewis D'Avanzo's Rap sheet obtained by Wayne Barrett under FOIA New York 26-445292.

189. *New York Times* July 26, 1977

190. USDC EDNY 1:CR-00903-RR-2; USDC EDNY 1:01-CR-01336-ERK-5

191. *New York Times* December 23, 2004

<http://www.ganglandnews.com/column338.htm>

192. http://americanmafia.com/Feature_Articles_249.html

193.

<http://caselaw.lp.findlaw.com/scripts/getcase.pl?navby=search&case=/data2/circs/1st/021564.htm>

194. *New York Times* November 29, 1961 US Seizes Six Here In Gambling Raid

195. *New York Times* October 17, 1956 *New York Times* July 22, 1974

196. Magistrates Court City of New York No. E 665/1950

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197. *New York Times* May 23, 1975; February 29, 1948; October 24, 1958
198. http://www.washingtonpost.com/wp-dyn/content/article/2007/12/18/AR2007121802333_pf.html
199. <http://www.nytimes.com/2007/12/17/nyregion/17trump.html?pagewanted=print>
200. 1:02-cr-01313-ILG-1 USDC EDNY
201. 1:98-cr-01069-ILG-1
202. Interstate Drywall Hearing Exhibit D-8A New Jersey Casino Control Commission
203. Jim Jones, former Marine Corps Commandant and former Supreme Allied Commander in Europe
204. David Anthony Quinlan, 65, a retired Marine Corps Colonel who became a businessman specializing in Russian high-tech companies, died November 7, 2003, at a hotel in Moscow after an apparent stroke.
205. Col. G. Kevin Brickhouse the commanding officer at the historic Marine Corps Barracks was removed in July 2000 as a result of an investigation into allegations that Marines in Washington, D.C., have been distributing and using the drug ecstasy.
206. Interstate Drywall Hearing Exhibit D-8A New Jersey Casino Control Commission
207. Ray owned La Fontana Restaurant in New Brunswick and JJ Rockers in Scotch Plains.
208. Interstate Drywall Hearing Exhibit D-8A New Jersey Casino Control Commission
209. Interstate Drywall Hearing Exhibit D-7B New Jersey Casino Control Commission
210. The docket sheet for his case read, "CERTIFICATE OF SERVICE: Amended Consent Order of Forfeiture was executed on December 14, 2002. The sum of \$350,000 was transferred to asset forfeiture fund."
211. Interstate Drywall Hearing Exhibit D-8A New Jersey Casino Control Commission
212. Interstate Drywall Hearing Exhibit D-7B New Jersey Casino Control Commission
213. Interstate Drywall Hearing Exhibit D-12B New Jersey Casino Control Commission
214. USDC EDNY 00-CR-196 I was unable to locate the *USA v Ray* file, USDC EDNY 00-CR-613-ILG. After I tried every possible avenue Supervi-

sor Mark V. Brown told me that it had been checked out by someone who did not sign their name and it might have to be reconstructed using defense and prosecution files. This file consisted of several large boxes.

215. http://www.washingtonpost.com/wp-dyn/content/article/2007/12/18/AR2007121802333_pf.html

216. Prior to the April 1994, U.S. Bridge of N.Y. Inc. was a shell company with no operations named Cofis International Corp., which was formed in September 1988 as Colonial Capital Corp.

217. Other Polito creations: One Carnegie Court Associates, Inc; Waldorf Steel Fabricators, Inc. Atlas Gem Erectors Company, Inc.; Gem Steel Erectors, Inc; R.S.J.J. Realty Corp., leased Bridge space for 20K a month; Atlas Gem Leasing, Inc., Crown Crane, Ltd

218. <http://www.businessweek.com/archives/1998/b3590101.arc.htm>

219. http://www.state.nj.us/lps/ge/exclusion/coppa_f.htm

220. <http://www.manhattanda.org/whatsnew/press/2000-07-27a.htm>
USDC/SDNY 97-CR-1215-DC

221. Interstate Drywall Hearing Exhibit D-8A New Jersey Casino Control Commission

222. <http://www.truthwins.info/vp-cheney-wont-help-because-he-is-behind-it/>

223. http://dockets.justia.com/docket/court-njdce/case_no-3:2007cv02812/case_id-203461/

224. http://www.washingtonpost.com/wp-dyn/content/article/2007/12/18/AR2007121802333_pf.html

225. http://www.atschool.org/election/printable/whos_who.pdf

226. Matter of Baumgarten, 197 AD2d 309, 613 NYS2d 361 (1994)

227. Criminal Docket No. 00-196 (ILG) ltr to Judge Glasser dated July 18, 2007: Roslynn R. Mauskopf United States Attorney By: /s/ Jonathan E. Green Assistant U.S. Attorney

228. It was around this time that several US Marshall's searched the apartment I live in on the Upper East Side of Manhattan looking for an alleged gunman. Talia Ray told me that this happened to a number of people.

229. http://www.washingtonpost.com/wp-dyn/content/article/2007/12/18/AR2007121802333_pf.html

230. Superior Court of New Jersey Law Division Passaic County Indictment No. 95 02 0284 1

231. <http://www.wongfleming.com/displaynews.php?id=75>

232.

<http://www.bop.gov/iloc2/InmateFinderServlet?Transaction=NameSearch&needingMoreList=false&LastName=Inzone&Middle=&FirstName=Fortunato&Race=U&Sex=U&Age=&x=0&y=0>

233. <http://www.freerepublic.com/focus/f-news/928063/posts>

234. Superior Court Passaic Criminal Division Indictment 95-02-0259I

235. USDC/SDNY 1:00-CV-07487-KNW-KNF

236. *USA v Arnold Squitieri* USDC/SDNY 05 CR 228

237. <http://www.judicialaccountability.org/articles/kerikroadtowealth.htm>

238. New Kerik Puzzler Broke, but He Bought Two Apts. By Russ Buettner *New York Daily News* December 15, 2004

<http://www.woodsrestoration.com>

239.

[http://www.nytimes.com/2007/11/03/us/politics/03kerik.html?_r=1&th=&oref=slogin&emc=th&adxnnlx=1194199951-](http://www.nytimes.com/2007/11/03/us/politics/03kerik.html?_r=1&th=&oref=slogin&emc=th&adxnnlx=1194199951-3pPRA1Ri2exZxhiYIU%20dw&pagewanted=print)

[3pPRA1Ri2exZxhiYIU%20dw&pagewanted=print](http://www.nytimes.com/2007/11/03/us/politics/03kerik.html?_r=1&th=&oref=slogin&emc=th&adxnnlx=1194199951-3pPRA1Ri2exZxhiYIU%20dw&pagewanted=print)

240.

<http://www.nytimes.com/2007/03/30/us/politics/30rudy.html?ei=5070&en=421f7687e5c3198f&ex=1177992000&pagewanted=print>

http://www.thechief-leader.com/news/2006/0714/Razzle_Dazzle

241. http://www.nyc.gov/html/doi/pdf/pr90georal_101706.pdf

242. [http://www.washingtonpost.com/wp-](http://www.washingtonpost.com/wp-dyn/content/article/2007/04/07/AR2007040701398_pf.html)

[dyn/content/article/2007/04/07/AR2007040701398_pf.html](http://www.washingtonpost.com/wp-dyn/content/article/2007/04/07/AR2007040701398_pf.html)

243. USDC SDNY (White Plains) 07 CR 1027

244. Supreme Court State of New York County of the Bronx Indictment No. 34597C/2006

245. <http://www.bronxda.net/information/2006/case47.htm>

246

http://www.bestlifeonline.com/cms/publish/finance/Bernie_Kerik_Wont_Fold.shtml

247. Conversation with an anonymous source

248. Supreme Court of the State of New York 07-603758

249. http://www.nytimes.com/aponline/us/AP-Giulianis-Business.html?pagewanted=2&_r=1

<http://www.washingtonpost.com/wp-dyn/articles/A56247-2004Dec10.html>

<http://www.villagevoice.com/news/0806,barrett,79049,6.html>

250. In the 1970's a "Shimon Cohen" was a business associate of Ariel Sharon.

251. *New York Times* November 24, 2007

252. Israeli spy Ben-Ami Kadish also grew up in British Mandate Palestine and was also a member of the Haganah.

253. http://www.nysun.com/article/18362?page_no=2
<http://www.pirrogroupp.com/team.cfm>

254. *NY Post* Giuliani's Bernard Kerik Shield By Larry Celona and Dan Mangan October 22, 2007

255. <http://firstread.msnbc.msn.com/archive/2007/10/12/409044.aspx>

256. http://www.city-journal.org/2008/18_1_homeland_security.html

257. SDNY 88CR919 Salvatore Gravano testified: "Marine is owned by the Westies which is that Irish mob that was attached to our family.

258. <http://newjersey.gov/lps/ge/2005news/InterstateComplaint2005.pdf>

259. *New York Times* January 7, 1993 Indictments Cite Corruption In Private Sanitation Service

260. Interstate Drywall Hearing Exhibit D-12-A New Jersey Casino Control Commission

261. Interstate Drywall Hearing Exhibit D-23 New Jersey Casino Control Commission

262. Interstate Drywall Hearing Exhibit D-24 New Jersey Casino Control Commission

263.
http://www.thelaborers.net/lexisnexis/articles/top_plumbing_company_cited_in_tax.htm

264. http://www.nysun.com/article/6747?page_no=1

265. Interstate Drywall Hearing Exhibit D-7A New Jersey Casino Control Commission

266. Interstate Drywall Hearing Exhibit D-3A New Jersey Casino Control Commission

267. Interstate Drywall Hearing Exhibit D-30(g) and D-30(c) New Jersey Casino Control Commission

268. <http://www.villagevoice.com/news/0451,robbins,59380,5.html>
<http://www.gibsondunn.com/insiddegdc/whoswho/bio/?contactId=dc5662a02132ac48>

<http://www.interstatecompanies.com/Synopsis%20of%20the%20decision.pdf>

269.
<http://www.law.com/jsp/law/LawArticleFriendly.jsp?id=1185181604136>

270.
http://iapps.courts.state.ny.us/webcrim_attorney/AttorneySearchCase#search_result

Bronx DA Website

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303. John M. Olin, President of a large munitions manufacturing business, founded the John M. Olin Foundation in 1953. It has provided funding for the Manhattan Institute, the Federalist Society, the American Enterprise Institute and numerous other rightwing think tanks.

304. Also named as advisors Peter Berkowitz, a neo-con law philosopher aligned with the Israeli right-wing party Likud, S. Enders Wimbush another hard-liner on Iran.

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306. <http://www.law.yale.edu/news/4425.htm>
307. <http://www.observer.com/2007/rudy-giuliani-conservatives>
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309. Giuliani addressed the Institute on September 5, 2001, as did Kerik on February 21, 2001. On October 15, 2003 Kerik gave a talk entitled, "My Time in Iraq"
310. <http://www.nysun.com/pf.php?id=66383&v=3395425911>
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318. McCain opposed a constitutional amendment banning gay marriage on the grounds, "It usurps from the states a fundamental authority they have always possessed and imposes a federal remedy for a problem that most states do not believe confronts them."
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