



Jerry Capeci

# Gang Land News

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## This Week in Gang Land July 13, 2017

By Jerry Capeci

### Undercover G-Man In 5-Family Mob Case Got 'No Show' Job With Prominent New York Firm



A daring undercover FBI agent who worked for many months as a driver for a Genovese



Robert Simoni G L

crime family capo was given a "no show" job at a prominent construction safety management firm that has done work for some of New York's most prestigious institutions, according to secret FBI records obtained by Gang Land.

The documents reveal that the G-Man, who used the name "Jeffrey Cassano" and presented himself as a single guy living in Cedar Grove, New Jersey, was given the job with The Safety Group Ltd. (TSG), a company with offices in Manhattan and Philadelphia. The firm, which was formed in 2013, bills itself on its website as an "industry leader" in fire safety, construction site and energy industry safety, as well as emergency preparedness for commercial buildings and hotels. Its listed clients include the New York City Fire Department, The New York Times, and Yeshiva University.

"Cassano" received a bi-weekly paycheck of \$4,166.67 from TSG, the records show. But at the same time he was supposedly working for the safety company, he was spending his days driving Eugene (Rooster) Onofrio, a powerful Connecticut-based Genovese crime captain on his rounds all over the metropolitan area. "Cassano" was also selling wiseguys and their buddies untaxed, bootleg



[Joseph Massino](#)



[Steven "Stevie Wonder" Crea](#)



[John "Sonny" Franzese](#)



[Domenico "Italian Dom" Cefalu](#)



[Vincent "Chin" Gigante](#)



[Carmine "Junior" Persico](#)



[Anthony "Gaspine" Casso](#)



[Liborio "Barney" Bellomo](#)

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cigarettes, a lucrative gig that hauled in [\\$2 million](#) in cash for Uncle Sam between 2013 and 2016 before the feds pulled the plug on the agent's undercover work.



[Eugene Onofrio G L](#)

As a result of his three-year undercover caper, "Cassano" played a key role in developing a massive case that indicted defendants with links to five crime families, including the mob boss of Philadelphia, with racketeering conspiracy charges. As Gang Land has reported, most of those defendants have already pleaded guilty.

The FBI documents indicate that the no-show job with TSG allowed the undercover agent to launder \$60,500 in cash through the company. In the FBI memos, "Cassano" is listed as ["UCE-5301"](#) — FBI jargon for "Under Cover Employee."

The documents state that "Cassano's primary contact at TSG was the firm's chief financial officer, Robert Simoni, who has been with the firm and its predecessor company, Homeland Safety Consultants, since 2006.

The FBI memos also state that "Cassano" was provided with a TSG business card that described him in "Business Development" for the company. Simoni allegedly provided "Cassano" a type-written two-page "payment break down" listing both the salary he received for his "no-show" job and regular cash deposits that "Cassano" was giving to the company. In the memos, the payment breakdown is described by the FBI as "a money laundering payment 'break down' for UCE-5301('s) 'no-show' job."

The FBI documents show that Cassano also kept in touch with Simoni by phone, text, and email, and that he occasionally met up with him in Little Italy or at TSG's New York office which is located at a prestigious lower Manhattan address, 11 Hanover Square.

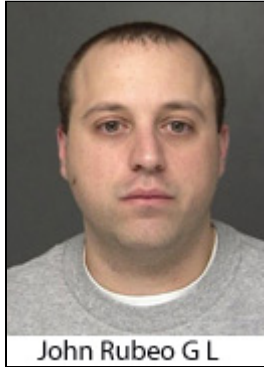


[Lorenzo Gallo G L](#)

At first, TSG mailed his bi-monthly "take home" paycheck of \$2811.77 to his home, which turned out to be a mail drop. But Cassano quickly made use of the company's direct deposit program and had his funds deposited directly into his bank account.

All together, the documents show that "Cassano" was paid a total of \$57,823.37 for the no-show job in 2015 and 2016, a figure that is \$2,676.63 less than the \$60,500 in cash that he gave the company before his undercover role ended in early 2016.

Neither Simoni, nor TSG president Lorenzo (Larry) Gallo, who also met with the undercover agent, responded to telephone and email requests from Gang Land for comment about the company's hiring of "Jeff Cassano." Like Simoni and Gallo, the FBI and U.S. Attorney's Office declined all comment about the money laundering allegations involving The Safety Group that are contained in FBI documents.

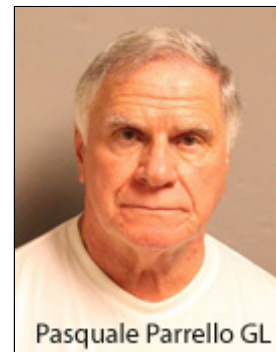


Early on, prosecutors informed Manhattan Federal Judge Richard Sullivan that the five year investigation would lead to additional indictments against defendants who were not charged in the initial case. But it is unclear whether that assertion is still viable in light of the government's disclosure that the FBI is conducting an internal investigation into the actions of three agents who supervised mob associate turned cooperating witness John (J.R.) Rubeo.

This week, Sullivan pushed back the start of the trial of Philadelphia mob boss Joseph ([Skinny Joey](#)) Merlino from September 5 to January 15 after Merlino's main lawyer, Edwin Jacobs, and the three prosecutors who still remain on the case detailed previous trial and other commitments they had later this year, and asked the judge to push the trial ahead to next year.

The charges against Genovese capo Rooster Onofrio, and four other defendants, are also still pending, but sources expect them to be resolved before the now-adjourned trial date.

Last year, a few months before the feds hit 46 defendants with ties to five crime families with racketeering charges, sources say Genovese capo Pasquale (Patsy) [Parrello](#) drove to Philadelphia in an effort to resolve a few problems that The Safety Group was having with the Philadelphia crime family regarding its scheduled grand opening there on May 23.



In one of the last tape-recorded conversations in the five-year-long probe, longtime Parrello associate Israel (Buddy) Torres informed the FBI, through the wired-up Rubeo, that he had accompanied Parrello to the city of Brotherly Love but that Parrello had ironed out the problems in a private talk with top Philadelphia wiseguy [George Borgesi](#).

Sources say that by May of last year, the FBI was unable to use "Cassano," who had been selling "untaxed cigarettes" to Torres to question him about the issue,

because under pressure from the Manhattan U.S. Attorney's office, it had pulled the plug on the undercover FBI agent's role in the case. Instead, sources say, the case agents gave Rubeo a case of cigarettes to sell to Buddy in an effort to glean insight from him about the TSG's plans to open up a Philadelphia office.

"I don't even know what they said," Torres told Rubeo, according to a reliable Gang Land source. "They talked together and everything. He gave them a good deal, Patsy. May 23d is the ribbon cutting. The City Council, the media will be there."



That seemed to have been wishful thinking on Torres's part since Gang Land could find no indication that any Philadelphia news outlets covered the "ribbon cutting" last year.

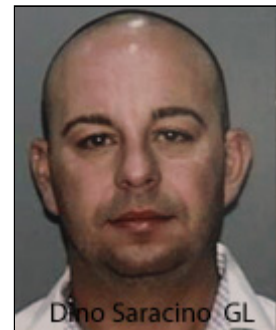
Other wishful thinking by Torres during that same conversation, which was recorded at Buddy's home in Queens, was that TSG's newest employee, "Jeff Cassano," who had fallen off the grid under the guise of having been arrested in Mexico, would soon return to New York.

"Those guys (in TSG) are asking, how's that kid Jeff?" Torres told Rubeo, according to a reliable Gang Land source. "Is he coming back? He has a job with them. He's perfect for it. He's clean cut. You want guys with no record."

Three months later, Torres, Parrello, Onofrio, Merlino, and scores of other mob-linked defendants learned that if they ever saw "Jeff Cassano" again, he'd be sitting on the witness stand in Manhattan Federal Court pointing a finger at them.

## Little Dino Wants Out Of The 50 Years Club

Colombo soldier Dino (Little Dino) Saracino is calling on a noted appeals lawyer for help in getting him out of Brooklyn Federal Court's infamous 50-years club that includes legendary 100-year-old gangster John (Sonny) [Franzese](#) and still incarcerated Gambino mobsters Gene Gotti and John Carneglia.



Saracino's new attorney recently succeeded in chopping off a third of another wiseguy's hefty prison term, but getting Little Dino out from under his 50 year sentence after it was [affirmed](#) by a federal

appeals court, is a heavy lift. But the mobster's talented mouthpiece, Marc Fernich, has given it his best shot.

But it certainly is a longshot, since his new appeal is filed with the trial judge [Brian Cogan](#), who hammered Saracino with the half a century stretch even though Little Dino was acquitted at trial of three murders, including a double homicide during the bloody 1990s Colombo family war.

It's complex stuff but bear with us:



In a June 22 court filing, Fernich asserts that Saracino was wrongly convicted of three separate counts of witness tampering for having told mob turncoat David Gordon to "take the Fifth" when he was subpoenaed by the grand jury. There was nothing wrong with Little Dino giving such advice, argues Fernich, since Gordon "had criminal exposure and thus possessed a legitimate basis to assert his privilege against self-incrimination."

He continues: "Nothing in the record suggests that Saracino tried to buy Gordon's silence through bribery or extortion. Nor does it indicate that Saracino told Gordon to lie or commit perjury. Rather, Saracino simply instructed Gordon to take the Fifth for self-serving reasons."

Cogan's instruction to the jury was to consider whether Little Dino had corruptly urged Gordon to plead the Fifth in a bid to make sure that Gordon wouldn't implicate Saracino before the grand jury. Wrong, says Fernich: What the judge should have told the jury was that Little Dino's "motive or purpose" was irrelevant, according to several appeals court rulings the lawyer cited.

"Instructing another 'in a manner consistent with' lawfully held 'constitutional rights — whatever the advisors' motive or purpose — is not itself corrupt, and does not alone amount to corrupt persuasion," wrote Fernich. What's more, he added, Saracino's lawyers "provided ineffective assistance" to their client by not making those critical points at trial and later on appeal before the Second Circuit Court of Appeals.



And more: At Saracino's sentencing, wrote Fernich, his "attorneys failed to alert the court" that there was a "glaring deficiency" in the government's argument that Little Dino could be held responsible for the "foreseeable crimes of co-conspirators" who killed a rival mobster during the Colombo War just because Saracino was found guilty of murder conspiracy — but not murder — during the same mob war.



John Carneglia G L

The deficiency, wrote Fernich, was that according to Second Circuit rulings, in order to hold Little Dino responsible for "foreseeable crimes" of others, Cogan must have first determined that the crimes "fell within 'the scope of the criminal activity (that Saracino) had agreed to jointly undertake," something the Judge did not do.

In fact, wrote Fernich, his lawyers hurt Saracino by contesting the "credibility" of the witness who testified about the murder since he didn't link Little Dino to it. By trying to discredit the witness, Fernich wrote, the attorneys "appeared to endorse" the "erroneous" position that "foreseeability" was the only issue, when "acts outside a defendant's criminal agreement — even the foreseeable crimes of co-conspirators — are not relevant conduct."

This was the "biggest issue" at Saracino's sentencing, wrote Fernich, because it raised his recommended sentencing guidelines from less than 20 years — somewhere between 168 and 188 months — to life, a position from which Cogan departed downward to arrive at 50 years.

Franzese, who turned 100 in February, was released from a prison hospital two weeks ago. [Gotti](#), 70, and [Carneglia](#), 72, who were each sentenced for drug dealing in 1989, are slated to be released next year. Saracino, 44, is slated for release in 2052.

Earlier this year, Fernich and co-counsel Jon Savella won a final sentence of nine years and two months for Gambino soldier Joseph (Joe Boy) Sclafani, the convicted cocaine trafficker whose original 15 year prison term had put the kibosh on his wedding plans with former Mob Wives star Ramona Rizzo.



Joseph Sclafani G L

Over the objections of prosecutors, Sclafani, 51, had won a reduction of one year from the initial sentence from former Brooklyn Federal Court Judge John Gleeson when the Justice Department lowered its guidelines for drug dealing.

Judge Jack Weinstein reduced the sentence to 110 months after agreeing with the defense team that Joe Boy was not a "career offender" who deserved an enhanced sentence because he was in possession of a handgun when he was shot and wounded during an ambush in 1990.

The Brooklyn U.S. Attorney's office, which also opposed any sentence reduction just because the inducted mobster was technically not a "career offender," appealed

Weinstein's ruling, but later dropped it. Sclafani is slated to be released in August of 2019.

## Let's NOT Go To The Video Tape



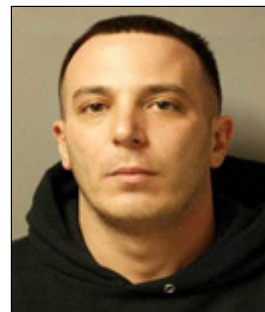
Michael Mazzara G L

That's what lawyers for four mob-tied suspects charged in a pair of bank heists that allegedly netted more than \$5 million are telling a federal judge.

Attorney Sanford Talkin has asked Manhattan Federal Judge Laura Swain to suppress extensive evidence linking mob associate Michael Mazzara and his codefendants to the heists. Much of the evidence stems from video footage from a [pole video](#) camera that recorded his client's movements in and around his home for 21 months. Talkin argues that the footage was an invasion of privacy guaranteed by the Fourth Amendment to the Constitution.

In 1986, Talkin wrote, the Supreme Court questioned whether "highly sophisticated technology, such as satellite technology, might be constitutionally proscribed without a warrant." The Court upheld electronic monitoring on a public road then, but "observed that should 'twenty-four hour surveillance of any citizen in this country' by means of 'dragnet type law enforcement practices' occur in the future, 'different constitutional principles may be applicable,'" the lawyer wrote.

In 2012, Talkin wrote, the high court stated that while "unassisted visual observation by police officers is constitutionally permissible, 'It may be that achieving that same result through electronic means, without accompanying trespass, in as unconstitutional invasion of privacy.'"



Anthony Mascuzzio Gl

In Mazzara's case, argued Talkin, the "secret camera" that recorded his "every movement" at the Brooklyn location that served as his home and business "twenty-four hours a day, seven days a week, for a continuous 21-month period" crossed the threshold that the Supreme Court had mentioned five years ago.

On behalf of codefendant Anthony [Mascuzzio](#), lawyer James Kosouros argued that a Patek Philippe Geneve Watch, several gold and silver trinkets, a Ted Williams 1958 Topps baseball card, as well as \$1,464,650 in cash that was found in a duffel bag in his children's bedroom was illegally seized without a search warrant during his client's arrest — and should be suppressed.



Judge Laura T. Swain

Authorities say that since Mascuzzio was on federal supervised release at the time, and that federal probation officers were with the task force of FBI agents and NYPD detectives who arrested him, no search warrant was needed since probation officials have the right to search the homes and automobiles of persons under their supervision at any time.

But Kosouros asserts that since his client was arrested on a federal complaint, not on suspicion of violating any restrictions of his post prison supervised release, probation officials had no right to search his client's home and car and has asked Swain to prevent prosecutors from using any of the seized evidence against his client at trial.

Lawyers for the other defendants, Charles [\(Duke\) Kerrigan](#) and his brother Christopher, have joined in both motions by their codefendants.



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