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This Week in Gang Land

July 22, 2021

By Jerry Capeci

Lawyer Joel Winograd, Mensch, Mentor, & A 'Wow Human Being,' Dead At 81



Hundreds of relatives and friends, including more than a few wiseguys, gathered at the Sinai Chapels in Fresh Meadows Queens on Tuesday to say good bye to Joel Winograd, a larger than life criminal defense lawyer who

fought like hell for his clients, but still held the respect of attorneys, prosecutors and judges all over town.

Winograd who toiled for four years as an assistant district attorney (ADA) in Brooklyn, the borough where he grew up and where he attended law school, died Sunday at his home in Boynton Beach after a waging a long battle with pancreatic cancer. He was 81.



Rabbi Steven Graber stated both before and after Winograd's funeral service that was attended by about 300 mourners in the chapel and 360 more on a Zoom feed that when that many folks attend the funeral of an 81-year-old man these days you can be sure that he was a "Wow human being."

Joel [Winograd](#) was that, and more. That's according to the heart-rending eulogies he received from his three children, Stacey, Andrew and his law-partner son Corey. There were more words of praise conveyed to Gang Land from many former colleagues and court room adversaries over the last three days, so many that it is impossible to mention them all.



"I'm sure I'm not the only prosecutor who had a spot in my heart for Joel," said John Gleeson, the former mob busting federal prosecutor and former federal judge. "He was a good guy, a straight shooter. I got along great with him," said Gleeson, "and as you know, I didn't get along with everybody in that community back then. You could always depend on what he said to you."

"Joel was a forceful advocate, an excellent trial lawyer and an extremely charming guy," said Edward McDonald, the former Organized Crime Strike Force Chief in Brooklyn. His Manhattan counterpart, Walter Mack, noted that they "spent some very intense times together

in court but Joel was a very good friend who I tried to keep in touch with regularly. He was a fine person. I really enjoyed knowing him and interacting with him as frequently as I did."

"I always liked Joel," said Supreme Court Justice Laura Ward, who tangled with Winograd when she was a federal prosecutor. "It was hard not to. He enamored himself to juries all the time because he was so likeable. He was a zealous advocate but he was always a gentleman."

Winograd was also praised as a "straight shooter" by a former mob busting FBI agent, who asked that he not be quoted by name. "Joel had a great memory and he used every trick in the book in the courtroom for his clients, but I don't think he ever crossed the line," the agent said.

"I loved Joel," said defense attorney Murray Richman, one of many defense lawyer colleagues who praised [Winograd](#) both as a man and an attorney. "I met him in 1966 before he became a lawyer when we were working on the US Senate campaign for Eugene Nickerson years before he became a federal judge in (Brooklyn.) He was a [good lawyer](#), and a terrific guy."

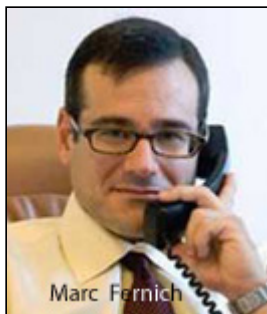


Judge Laura Ward GL

Other attorneys who toiled alongside Winograd in mafia cases, both big and small, who praised his courtroom abilities and his friendship include Mathew Mari, Barry Levin, and Ben Brafman. Jeffrey Hoffman recalled a memorable snowmobile adventure that he, [Winograd](#) and Gerald Shargel enjoyed while they were on trial in Alaska.

"Joel's snowmobile tipped over and he was on his back in the snow with the machine on top of him," said Hoffman. "Jerry and I were hysterical laughing until Joel starts trying to move it off of him and we yell, 'Stop! It's still running, you're gonna lose your foot,' until we found the cutoff switch. It was an insane, crazy moment that we were able to laugh about, thankfully."

Marc Fernich, one of two attorneys whom Corey Winograd mentioned during his eulogy as attorneys his father mentored who became close friends, told Gang Land that "Joel had a very gruff exterior but he had a big heart and supported countless young lawyers, myself included, and he could be your biggest ally and biggest champion without ever asking anything in return. He would go to the well for you."



Marc Fernich

"He was a pit bull advocate both in court and out of court for the people that he cared about, including clients, colleagues and friends," Fernich continued. "And you'll never hear a bad word about Joel from judges or prosecutors because he was gracious in defeat as well as victory."

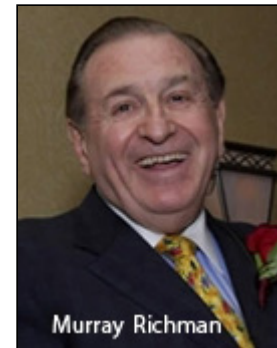
"He had an uncanny ability to talk to anyone — clients, prosecutors, judges — human to human," said Fernich. "He had a special gift of being able to humanize clients at sentencing, while talking to the judge as another human being who was able to explain how all people make mistakes, and deserve a break."

Attorney Gary Farrell said he met Winograd in 1984 when he was an "average law student." Sitting next to [Winograd](#) and watching him — and helping him — win an acquittal for a defendant charged with counterfeiting the following year "was the thrill of a lifetime," he said. "Minutes before Joel began his closing argument, he told me, 'When I touch my right ear, go out and stand there for about 30 seconds; don't let ANYONE come in, and then come in and walk slowly back to your seat.'"

When he returned, "I saw the jury staring at me and they started to smile," Farrell said. "What Joel had told them was that the guy who was on a grainy video in evidence was about to walk into the courtroom. He had counted down in dramatic fashion and I walked in. Joel then said, 'You all looked because you had a reasonable doubt that my client was really the guy in the video.'"

"Until a few days ago," said Farrell, "Joel remained my friend and mentor. Other than my own parents' passing, this is the worst loss I have ever suffered. I can, however, take solace," the attorney added, "knowing that in dark times I can call on the fighting spirit of Joel Winograd and he will be there for me."

Joel Winograd enjoyed the art of cross-examination, and had confidence that he would be able to bring out all the bad things about any government witness. But he told Gang Land many times over the years that you can never be sure how a jury would react until the foreman announced the verdict, and that sometimes "it makes sense" to plead guilty rather than go to trial.



Murray Richman

One case that jumps out, was when he obtained agreed-upon prison terms of 15 years for DeCavalcante mobsters Louis ([Louie Eggs](#)) [Consalvo](#) and Gregory Rago who were charged with murder in 2003. Rather than go to trial and be convicted and sentenced to life, as several co-defendants were in that case, the duo had Winograd make their case to the court.

Over the years, Winograd often cited two cases as proof that predicting a jury verdict was impossible. In 1985, Winograd and his co-counsel at the tax evasion trial of Salvatore (Sammy [Bull](#)) [Gravano](#) and his mobster brother-in-law, Edward Garafola, believed the jury would convict. And in 1993, Winograd and his co-counsel believed they had won an acquittal in a trial that featured Gravano as a government witness. They were dead wrong both times.



Gary Farrell G L

Winograd's son Corey recalled the 1993 case, the murder trial of Gambino mobsters Robert ([Bobby Cabert](#)) Bisaccia and Orazio (Ozzie) Stantini, "as the 75, 15, 10 trial." That referred to a tape-recorded conversation in which Gravano [was heard](#) telling Garafola that when you testify before a grand jury you tell the truth 75% of the time, you "bob and weave" 15% of the time, and that "ten percent, you out and out lie."

The defense got the information right before Gravano was set to testify, and Corey remembers his dad telling him when they received it, "This is material that every lawyer dreams of."

During cross-examination, Corey recalled, "to every question he [asked Gravano](#), he would follow up with, 'Is this a 15% bob and weave or a 10% out and out lie.' And you could almost see the steam coming out of Sammy's ears. It was a beautiful cross, but we lost the case and I remember we were all shocked."

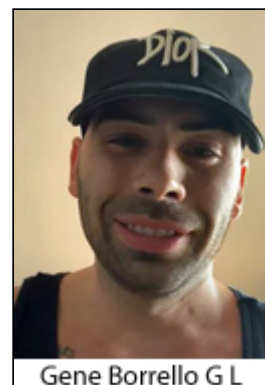
Following his funeral services, Winograd was interred at the Beth David Cemetery in Elmont. In addition to his three children, Winograd is survived by his wife of 58 years, Elaine, his four grandchildren, Jack, Eric, Jessica and Noah, and numerous other extended family members and friends.

Still 'A Hot Head' With A 'Disrespectful Mouth,' Turncoat Podcaster Gene Borrello Is Back

After spending four months in prison for threatening his ex-girlfriend's husband and for hanging around with ex-cons, Gene Borrello, the Howard Beach gangster-turned-snitch-turned-podcaster has returned to the airwaves with a bang.

In his first post-prison show, Borrello declared that his former podcast partner and fellow cooperating witness John Alite was a true blue mob killer for the Gambino crime family.

To the ex-Bonnano associate this wasn't a bad thing. During a one-man show on YouTube broadcast last week from the confines of his home, he praised Alite's gangster work, while slamming the Gambino family's former acting boss John (Junior) Gotti as a duplicitous rat.



Gene Borrello G L

Borrello, 36, will be doing the show remotely for awhile; He still has five more months of house arrest left of [the sentence](#) Brooklyn Federal Judge Frederic Block imposed in March.



John Alite G L

Borrello promised to relate true stories several times a week about the "real Mafia" he encountered while working with "mob legend icon" Vincent Asaro and his nephew, Bonanno skipper Ronald (Ronnie G) Giallanzo — two of the major wiseguys Borrello fingered for the feds when he joined Team America back in 2016.

"I have a disrespectful mouth, and I say whatever I want, and I do what I want," Borrello stated during the 13-minute show. But because the feds "do not want me sitting with felons," Borrello said he won't be able to team up any longer with Alite, his "close friend" and former partner in the *Johnny and Gene Show*.

"So what I can do is give you my own stuff and my stories" said Borrello, whose assessment of his relative importance in the ever-expanding world of organized crime podcasts remains sky high, where it has been since he called Alite when he got out of prison in [December 2019](#) and told him: "Put me on, I want to start doing shows and everything."

"We were the first Mafia podcast guys," said Borrello. "Me and Johnny started the Mafia podcast, and everyone followed suit."

"Everyone loved me," [Borrello said](#), "because I was modern day. I'm new and I'm no bullshitter," he continued. "I say what it is. I say how it is. If I made \$5,000 a week, I won't tell you \$100,000 a week. I'll give you the real numbers, real facts and everything. I give details and facts about what happened, who was there. Everyone just loves me because they know I speak genuine and speak the truth."

The *Johnny and Gene Show* lasted for almost a year. It ended with Borrello's arrest in February. Since then, Alite has done it solo, and renamed the podcast, *Mafia Truths, with John Alite*. He has also published *John Alite Mafia International*, written by Louis Romano.

And for the four short months that Borrello was in prison, he "was only getting one phone call a month" and says he "didn't know what was going on with the show stuff."

And when he was released last month, he was "not liking" what he was seeing, he said.

"Am I still a hot head? Am I still a nut job?" he asks and quickly answers. "Of course, I am." But he's "trying to change" and "get along with everybody," he insists. "But one thing," Borrello vows, "Johnny is like my brother, and I'm going to stick up for him to the end."

"I see everyone's fighting with each other," said Borrello. "This one's killing that one, this one's fighting that one," he said. Many of the new podcasters, he said, are Gotti pawns "attacking" and "ganging up" on Alite in an effort to pump up Junior's long running *Witsec Mafia* project that portrays Alite, his longtime nemesis, and other cooperating witnesses as a band of lying thugs.



John A. Gotti G L

Gotti "was the acting boss for the Gambino family" and "ran the neighborhood," [said Borrello](#). Junior was "one of the youngest bosses ever because of his father," he added. But his name is now mob mud, Borrello insisted. Gotti is now "labeled a rat in the modern day Mafia," he claimed, because he has admitted "he did proffers" with the feds

back in 2005.

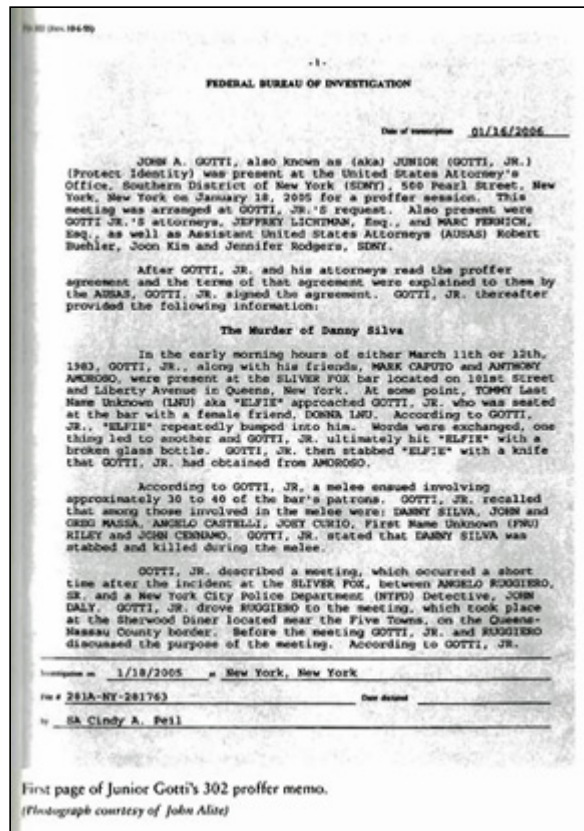
Since he was "labeled a rat" and "was shelved," Borrello told Gotti that "you're making yourself look dumb" if you "come out with a show called, *Witsec Mafia*. You know what I mean? You had mistrials and all this stuff, that's fine. But you sat, you proffered. You're shelved. You're not in the Mafia no more. No one respects you in that life no more."

Despite his insistence that he's steering clear of his prior podcast violations by not associating with convicted felons, the 13 minute-session still appears to violate Judge Block's order that Borrello avoid any "podcasts, radio, or internet shows that discuss organized crime" during the three years of post-prison supervised release that Block also gave him.

But meanwhile, he's eager to take on all challengers. If Gotti, or anyone else for that matter, wants to tell Borrello something, or ask him a question, just email him at officialgeneborrello@gmail.com.

Young Mob Associate Wants To Be Sentenced For Arson, But His Judge Won't Go Along

For the third time in two months, without supplying any explanation, a federal judge in Brooklyn has put off the sentencing of Jonathan Gurino, a young mob associate who pleaded guilty to arson and extortion charges more than a year ago and has been waiting to face the music for his crimes for more than nine months.



First page of Junior Gotti's 302 proffer memo.
(Photograph courtesy of John Alite)

Yesterday, about 15 minutes before it was scheduled to take place, Judge LaShann DeArcy Hall adjourned the sentencing of [Gurino](#), whose plea agreement calls for 33-to-41 months behind bars for the arson extortion of a businessman whose car was set ablaze in front of his Queens home in December of 2015.

Gurino, who also pleaded guilty to loansharking against the cooperating witness in the case, was originally scheduled to be sentenced on May 12.



Jonathan Gurino GL

Almost two months later, on July 9, the sentencing was again put on pause by the judge without explanation. Gurino's sentencing has not been rescheduled, according to the court docket sheet.

In court filings, assistant U.S. attorney Nicholas Moscow asked Judge DeArcy Hall to impose the high end of his sentencing guidelines, 41 months, arguing that the "sheer volume of gasoline used in lighting the car on fire" resulting in a "raging fire that caused a substantial risk of death or serious bodily" to responding fire fighters and other emergency responders.

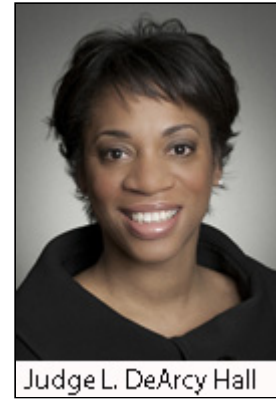
On his client's behalf, attorney James Froccaro has asked the judge to impose a prison term below the low end of the agreed-upon sentencing guidelines, citing several mitigating factors, including "very serious health issues" including permanent injuries that Gurino suffered when he underwent brain surgery to remove a tumor when he was a teenager.

In addition, Froccaro wrote that "Gurino is ashamed of his involvement in the extortion of (the Queens businessman) and the related arson" and that he had never met or spoken to "the member of the Gambino Organized Crime Family" who was beneficiary of the extortion scheme, the late John Gotti pal, [Ignazio \(Iggy\) Alongi](#).

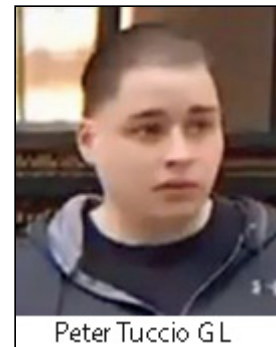
"More importantly," the lawyer wrote, "Gurino refused to set John Doe 4's vehicle on fire, voicing his belief that the arson was a 'stupid' idea and should not go forward." At that point, Froccaro wrote, his admitted co-conspirator, "Gino Gabrielli then volunteered and set the car ablaze himself."

Unfortunately for Gabrielli, according to court records, Gabrielli also set himself afire and is seen on security video running away from the blazing car with his right leg "engulfed in flames." And unfortunately for co-defendant [Peter Tuccio](#), he was spotted on video 20 minutes later when he took Gabrielli to Jamaica Hospital at about 4:10 am, 20 minutes after the arson.

[Tuccio](#), who pleaded guilty earlier this year, faces an agreed upon prison term of ten years behind bars. Thus far, no sentencing date has been set — or adjourned — for Tuccio.



Judge L. DeArcy Hall



Peter Tuccio GL