

\$101M awarded in 1965 Mafia slaying case

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Two of those men died in prison, and their families will now receive the damages ordered in their name.

In a stinging rebuke of the FBI, a federal judge last Thursday ordered the government to pay a record \$101.75 million in the case of four men who spent decades in prison for a 1965 murder after agents withheld evidence of their innocence to protect informants.

U.S. District Judge Nancy Gertner told a packed courtroom that agents encouraged a witness to lie, then withheld evidence it knew could prove the four men were not involved in the murder of Edward "Teddy" Deegan, a small-time thug from Malden who was shot in a Chelsea alley on March 12, 1965.

Gertner said Boston FBI agents knew mob hitman Joseph "The Animal" Barboza lied when he named Joseph Salvati, Peter Limone, Henry Tameleo and Louis Greco as Deegan's killers.

Salvati and Limone spent three decades in prison before they were freed in 2001; Tameleo and Greco died behind bars. Salvati and Limone and the families of the two other men sued the federal government for malicious prosecution with the help of Medford lawyer Victor Garo.

“Do I want the money? Yes, I want my children, my grandchildren to have things I didn’t have, but nothing can compensate for what they’ve done,” said Salvati, 75.

“It’s been a long time coming,” said Limone, 73. “What I’ve been through ... I hope it never happens to anyone else.”

Gertner said FBI agents Dennis Condon and H. Paul Rico not only withheld evidence of the lie, but told state prosecutors who were handling the Deegan murder investigation that they had checked out Barboza’s story and it was true.

Barboza wanted to protect a fellow FBI informant, Vincent “Jimmy” Flemmi, who was involved in the slaying.

Salvati and Limone were exonerated in 2001 after FBI memos dating back to the Deegan case surfaced during probes into the Boston FBI’s relationship with gangsters and FBI informants James “Whitey” Bulger and Stephen “The Rifleman” Flemmi, Vincent’s brother.

Last Thursday, Limone and Salvati stared straight ahead as the judge announced her ruling, but an audible gasp was heard from the area where their friends and family were sitting when Gertner said how much the government would be forced to pay.

Salvati, who cried as family and friends congratulated him, said he relived his experience in prison as he listened to the judge blast the FBI for what she called “shocking” misconduct.

Gertner awarded \$26 million to Limone, \$29 million to Salvati, \$13 million to Tameleo’s estate and \$28 million to Greco’s estate. The wives of Limone and Salvati and the estate of Tameleo’s deceased wife each received slightly more than \$1 million. The men’s 10 children were each awarded \$250,000.

“The FBI’s misconduct was clearly the sole cause of this conviction,” the judge said.

Peter Neufeld, co-founder of The Innocence Project, a New York-based legal advocacy group that specializes in overturning wrongful convictions, said the \$101.75 million award is the largest ever in a wrongful conviction case.

A Boston FBI spokeswoman referred calls to the Department of Justice. Charles Miller, a spokesman for the Justice Department, said officials would have no immediate comment.

The government had argued federal authorities had no duty to share information with state officials who prosecuted the men. Federal authorities cannot be held responsible for the results of a state prosecution, a Justice Department lawyer argued. But Gertner rejected that argument.

“The government’s position is, in a word, absurd,” she said.

Gertner said the FBI considered Limone, Salvati, Greco and Tameleo “collateral damage” in its war against the Mafia, which was the FBI’s top priority in the 1960s.

At the time of Deegan’s slaying, Tameleo and Limone were reputed leaders of the New England mob, while Greco and Salvati had minor criminal records.

Deegan’s murder had gone unsolved until the FBI recruited Barboza to testify against several organized crime figures. Barboza later agreed to testify for state prosecutors in the Deegan case.

Salvati was sentenced to life in prison as an accessory to murder. He was released from prison when his sentence was commuted in 1997, after serving a little more than 29 years. Limone served 33 years in prison before being freed in 2001.

Tameleo died in prison in 1985 after serving 18 years. Greco died in prison in 1995 after serving 28 years.

U.S. Rep. Dan Burton, R-Ind., who chaired the House Government Reform Committee when it conducted an investigation of the FBI and its use of criminal informants, including in the Deegan case, called the judge’s ruling gratifying.

“This was one of the biggest injustices that I have ever seen,” Burton said.

During testimony before Burton’s committee, Rico was unrepentant when asked how he felt about Salvati’s wrongful imprisonment.

“What do you want, tears?” replied Rico.

In 2003, Rico was arrested on murder and conspiracy charges in the 1981 killing of a Tulsa, Okla., businessman.

Rico died in state custody in 2004 while awaiting trial.