

FBI Wiretap Heard Mafia Decide Not to Attack Muslim Construction Worker

Following are excerpts from transcript of electronic recordings made by the Federal Bureau of Investigation dated May 24, 1965.

These documented recordings, as the accompanying story shows, verify the fact that even the notorious Mafia think twice before abusing the follower of The Honorable Elijah Muhammad.

The FBI account appeared in the June 14, 1969 edition of the New York Times.

NK 2461-C (refers to FBI agent doing the wiretapping), in an advisory dated May 24, 1965, gives the F.B.I. the following information:

ROSARIO COCCHIARO, on May 24, 1964, was assaulted with a shovel by Matthew Shumate, a Newark N.O.I. (Nation of Islam) (the Black Muslims consider themselves a sect of the Nation of Islam) and suffered broken ribs and a collapsed lung. Rosario was hospitalized until May 26, 1966. Rosario and Shumate had a fight at a construction job in the Elizabeth, N.J. area.

The DeCavalcante "family" was initially infuriated by Shumate's action due to Rosario's father, Frank Cocchiaro, being a DeCavalcante "family" member. Frank asked for "satisfaction" and meetings were held to determine the family's retaliation measures. It was decided at first that Shumate would be physically beaten. Then it was decided that Shumate was to be murdered with a knife to make it look like a "nigger job."

IT WAS ALSO considered to murder Shumate by using a pistol, due to Malcolm X being murdered by this method. In back of all this murderous intent was the specter of the N.O.I. learning that Shumate would have been murdered by the DeCavalcante family and the possibility that the N.O.I. might retaliate in vengeance and cause an all-out war in the Elizabeth, N.J. area.

DeCavalcante met with Frank Majuri, his underboss, on June 1, 1965, and at this time DeCavalcante said he had met with Carlo Gambino that day and had told Carlo of this matter. Gambino told DeCavalcante that a La Cosa Nostra member can ask for satisfaction in such an instance, but he doesn't have to get it if there is a risk of destroying the borgata (family). Based on what DeCavalcante told him, Gambino recommended that any retaliation be held up for two to three months.

DeCavalcante and Majuri, from their conversation, now appear to be quite ready to hold retaliation in this matter in abeyance or forgetting about it altogether. From what was said, they believe Rosario might have avoided this trouble as he started the fight, and Majuri said Rosario wasn't injured that severely.

FURTHERMORE, they said Shumate, being a Negro, wouldn't know about showing respect to DeCavalcante family members or their children. Majuri asked DeCavalcante if he had told Frank Cocchiaro of Gambino's suggestion in this matter. DeCavalcante said he hadn't.

DeCavalcante probably would have permitted almost instantaneous retaliation against Shumate if he wasn't a Muslim member. Frank Cocchiaro, not immediately known of this is the Frank Cocchiaro known to be acapo in the DeCavalcante family or some relative of his, had met with DeCavalcante family members on May 7, 1965, and told DeCavalcante that he and/or Rosario are quite willing to retaliate against Shumate on their own. Frank Cocchiaro said he didn't want to bring trouble on any other DeCavalcante family member as he considered this matter to be a personal threat.

DeCavalcante told him that he wouldn't permit Cocchiaro to handle any retaliation measure alone.

The following was logged by an F.B.I. employe on May 27, 1965:

Sam asks Frank (Majuri) "what do you think?"

Do you think we should go all the way?" They are still concerned with the fact that he (Shumate) is a Black Muslim. They are thinking about possibly using Corky to pose as a cop and bring the guy out on suspicion of narcotics because he was a narcotics addict.

FRANK SUGGESTS that they wait a little while to see how the compensation case (Rosario's) works out and the stories that come out. In case the guy is

knocked off it might look like a case of vengeance if anyone told the real story about the beating.

On June 3, 1965, NK 2461-C reported the following outcome to the Rosario-Shumate incident:

CONCERNING the Shumate affair, Larry (Wolfson, DeCavalcante's business partner) asked DeCavalcante what would be done in retribution for his (Shumate) having hit "that kid" (Rosario) with a shovel. Sam replied, "You can't do nothing to him."



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In one segment of the conversations recorded by the Federal Bureau of Investigation on May 27, 1965, Mr. Franzblau was quoted as having told a DeCavalcante business partner that he was pulling out of a case in which he was defending Carmine Lombardozi, a Mafia leader.

Asked why he was withdrawing, Mr. Franzblau said: "To many violent people in it."

He added: "I don't want to be a criminal lawyer. I don't take any gambling cases any more unless as a favor."

The incident that led to the indictment of DeCavalcante last year was a dice game holdup in 1966 and an alleged extortion plot against the gamblers.

[From the New York Times, June 14, 1969]

EXCERPTS OF FBI RECORDINGS OF MAFIA MEETINGS

Following are excerpts from transcripts of electronic recordings made by the Federal Bureau of Investigation from 1961 to 1965.

They were made at places frequented by Simone Rizzo (Sam the Plumber) DeCavalcante and two co-defendants, Gaetano Dominick (Corky) Vastola and Daniel Annunziata, in a conspiracy-extortion case awaiting trial.

The transcripts, filed in Federal Court in Newark, consist of direct transcriptions and F. B. I. summaries of such conversations.

LAWYER FOR MAFIA CHIEF DECIDES HE'S "PULLING OUT"

NK 2461-C*, an informer for the F. B. I. reports the following verbatim conversation between Lawrence Wolfson, DeCavalcante's business partner, and a former assistant United States attorney, Sidney M. Franzblau (also known as Chris) DeCavalcante's lawyer, on May 27, 1965:

C. I hope everything will be all right with that Bonanno [disappearance] grand jury.

L. Who are you representing?

C. Jerry [Catena].

L. Was he called before this grand jury?

C. Yeah.

L. This Joe Bananas—Sam thinks he's still around.

C. I do, too.

L. I don't think Joe Bananas will ever turn up again. It's been a year since he went [disappeared].

C. I don't think he'll turn up while this much heat is around.

L. This guy has been in trouble before. I remember Nick told me he was too aggressive.

L. One thing about these guys [Bonanno et al.] they never hesitated to pull the trigger.

C. I'm getting away from all this, Larry. I'm pulling out of the case tomorrow.

L. Who were you handling in that one?

C. Milton Farness. Lombardozi.

L. He's in the can, isn't he?

C. Right.

L. How come you're pulling out of that?

C. Too many violent people in it.

L. They ain't gonna bother you.

C. Yeah, but the trial will take months and there's not enough money in it. Besides, I don't want to be a criminal lawyer. I don't take any gambling cases anymore unless as a favor.

YOUNG JERSEY SINGER GETS A MAFIA CONTRACT

On April 7, 1965, NK 2461-C* furnished the following information to the F.B.I.:

Sam was visited by Sal Caternicchio and his nephew, a singer, whose professional name is Nino Rossano. His true name is Giacobbe. He is 24 years old and lives with his parents at 437 Spencer Street, Elizabeth, N.J. Also present was Sidney M. Franzblau, or Chris.

Franzblau's function was to gather information for the drawing of a contract between DeCavalcante and the singer. Nino has been taking voice lessons from Carlo Menotti at the Carnegie Hall Studios, 831 58th Street, New York City. He has never made a personal

appearance, although Sal assured Sam that Nino could sing better than Robert Goulet.

The terms of the contract will provide that Sam is to pay for Nino's singing lessons, certain expenses, plus \$40 a week, in return for 55 per cent of all of Nino's earnings, if any. Sam plans to meet with Maestro Minotti (not to be confused with the composer, Gian Carlo Menotti) who works out the fees. He cautioned Nino that henceforth he was not to take a job without advising Sal and/or Sam.

Two months later, on June 3, 1955, James J. Verdino, an F.B.I. agent, filed the following summary:

Sam on location with unidentified person. Unidentified person is probably the singer Sam is trying to push. Sam tells unidentified person that a Mr. Bill Foster at N.B.C. wants to interview him and also audition him with a band. Unidentified person seems to be either Spanish or Italian.

Sam asks singer how are you getting along with Carl (Gambino). Singer is identified as Nino. Sam is telling Nino he needs polish. He sang at the orphanage racket and at the wedding but if he gets on the "Tonight" show with a connection by Sam there will be some critics that could hurt him. Nino is scheduled for the Ted Mack show, also.

Mr. Giacobbe's mother said yesterday that her son was now working at a nightspot—she did not know which one—in New Jersey and that he was living in Elizabeth with his wife. Mr. Giacobbe could not be reached for comment immediately.

FEAR OF WAR WITH BLACKS SAVES A MAN'S LIFE

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It was also considered to murder Shumate by using a pistol, due to Malcolm X being murdered by this method. In back of all this murderous intent was the specter of the N.O.I. learning that Shumate would have been murdered by the DeCavalcante family and the possibility that the N.O.I. might retaliate in vengeance and cause an all-out war in the Elizabeth, N.J., area.

DeCavalcante finally decided to let this incident "cool off" for a month's time and persuaded the interested DeCavalcante family's members to wait for this period of time.

DeCavalcante met with Frank Majuri, his underboss, on 6/1/65, and at this time DeCavalcante said he had met with Carlo Gambino that day and had told Carlo of this matter. Gambino told DeCavalcante that a La Cosa Nostra member can ask for satisfaction in such an instance, but he doesn't have to get it if there is a risk of destroying the borgata [family]. Based on what DeCavalcante told him, Gambino recommended that any retaliation be held up for two to three months.

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PROMINENT NAMES DROP IN MAFIA CONVERSATIONS

The following information was furnished to the F.B.I. by NK 2461-C* on April 12, 1965:

Louis Larasso contacted Sam and they discussed the Carlie Majuri arrest. Sam said that Union County Prosecutor Leo Kaplowitz thinks there should have been a motion to suppress the evidence. Kaplowitz suggested that a lawyer named Isaacs (phonetic spelling) be retained.

Larasso referred to an offer in this matter and said he'd be willing to see thing settled for \$3,000, even if it is a shakedown, rather than see the thing up to the county local, where there might be pressure from the F.B.I. to prosecute.

DeCavalcante indicated a willingness to expend \$1,000—\$500 to the judge and \$500 to (Elizabeth Mayor) Tom Dunn—providing it could be handled in court.

[Mayor Dunn has said that he once received a campaign contribution from DeCavalcante before he became aware of DeCavalcante's reputation. But the Mayor said he could recall no other dealings with DeCavalcante.]

In a portion of the transcript, about 12 lines of which were apparently censored by the F.B.I. or the Justice Department, DeCavalcante and his cousin, Robert Basile, converse about a robbery in Newburgh, N.Y. and discuss a fellow Mafioso's unsuccessful shakedown attempts. The following dialogue was reported by NK 2461-C* on Feb. 22, 1965:

BOB. Censored.