

to put this thing in the back of my mind. I had a lot to be grateful for. I had a wonderful wife and family. I'd developed a private investigating business. I never got the quality of work I'd have gotten had this never happened to me and the bad publicity had cost me hundreds of thousands of dollars in potential income. Nevertheless, the anger was gone or buried deep.

But with my second scandal, it was more than daily anger. It was daily fury. And I had to keep it in check if I was going to make rational decisions.

The day after the offensive *Sopranos* episode aired, my codefendant in the Patrick Porco murder, Johnny Loads Sinagra, had his murder charge dismissed by Judge Gustin Reichbach. Sinagra's lawyer, Joe Giaramita, convinced the judge at a Singer speedy trial hearing, accusing the D.A. of unnecessary delay in making an arrest. Giaramita proved that there had been sixteen years of unnecessary delay in bringing Sinagra's murder charge. The Brooklyn D.A. had Sinagra's name as the shooter in 1990 and failed to investigate the lead. Unnecessary delay didn't apply to me because the D.A. didn't have my name until 2005, when Linda Schiro gave it to them and they indicted me a year later. But the fairness of the judge's decision reinforced our decision to go nonjury and to let him decide my guilt or innocence.

We also liked his language. He quoted *Alice in Wonderland* to describe an Assistant D.A.'s testimony at the Singer hearing: "When I use a word, it means just what I choose it to mean, neither more nor less."

When we elected to be tried without a jury, Judge Reichbach asked me to reconsider and disclosed a possible conflict of interest. He had a domestic counterintelligence FBI file, the kind of file I researched in my first job as a clerk with the FBI. In 1968 he'd led a Students for a Democratic Society (SDS) revolt at Columbia University and had been ratted on by a CI working for the FBI from within the SDS. In court, he recited the informant's words to me from memory: "Subject

is one of the most dangerous people known in the SDS . . . Subject is an extremely powerful speaker and has a strong charismatic appeal . . .”

“‘Subject,’ that’s me,” the judge said, beaming. “I’ve always appreciated, indeed proudly cherished, that characterization, even though it was not meant by the FBI to be flattering.”

The judge set an example in disclosing conflicts of interest; I only wish that everyone connected to the tribulations I had endured, from the time I uttered the words “We’re going to win this thing” to the day, fifteen years later, when my murder trial began, had shown the same integrity.

Doug spoke for me and for our team the next day in the *Daily News*: “I give [Judge Reichbach] all the credit in the world for disclosing it at this time. It just tells me this is a fair judge.”

In his twenty-seven-page opinion dismissing Sinagra’s case, the judge ripped into the D.A.’s office from top to bottom for a “failure of both oversight and direction.”

One of Doug’s comments at my arraignment that was critical of the Brooklyn D.A.’s office was quoted in newspaper articles about the Sinagra dismissal: “They don’t make these kinds of cases and they don’t know how people act in these kinds of cases, and they don’t know how to deal with witnesses in these cases.”

That’s true, but in my case, decisions were made that would be improper in any kind of investigation, Organized Crime or not. And there were, without doubt, improper motivations involved in the Brooklyn D.A.’s decision to bring murder charges against me.

First, there was the Favo scandal. The Brooklyn D.A. did not sit down with my OPR file and analyze it. But their prosecutors knew every bit of gossip, smear, opinion, or impression that you could learn from secondhand sources and blatant hearsay. The D.A. had called Favo to testify before the grand jury that indicted me and would call him again at trial. As he’d done from day one, all he did was rehash impressions and opinions without proof.

I’m convinced that this murder indictment was merely a logical extension of Favo’s original widespread smear against me, which was motivated by a desire for personal gain. Only this time the information I supposedly passed along to Scarpa had to do with murder.

Little Linda. Violating the secrecy of the grand jury when he fingered John Sinagra as Porco's shooter is a potential crime.

Dades and Schiro had a lot in common. Like Dades, Schiro was a wannabe author, even more wannabe than Dades. Her pitch was a book called *Mafia Mistress*. As a result of the reams of publicity she got from my 1994 Favo scandal, no fewer than five established authors interviewed her for a book deal. Proposals had been written and circulated, but she never got a publisher.

With each try at publishing over the years, Schiro enlarged her own role—and mine as well—in Greg Scarpa's murderous doings. By the time Dades delivered her to the Brooklyn D.A., she had a story that planted her at the right hand of the seat of Mafia power in Bensonhurst. Linda Schiro morphed into an eyewitness to my acceptance of bribe money, and to my four powwows with Greg Scarpa in which we discussed whom to kill and why, and how to locate one of the victims.

Ultimately, Dades struck out on three pitches and would not testify in my case when it came to trial almost two years later.

Strike one: A few months after my March 30, 2006, arraignment, Dades and a neighbor got into an altercation and the neighbor died. The man's ribs were broken and he bled to death. The medical examiner ruled it a homicide. There was an allegation that the man had been stomped. Although not present when it happened, Vecchione drove over the Verrazano Bridge to Staten Island and testified for the defense before a Staten Island grand jury and Dades was cleared of the homicide. Vecchione then refused to give a statement to the NYPD Internal Affairs Bureau, which was investigating Dades independently from the Staten Island grand jury. Vecchione said: "I don't report to you guys and I don't have to talk to you."

As an aside, Vecchione never once offered my lawyers to present any evidence at the grand jury on my behalf. Furthermore, his assistant entirely avoided discussing certain topics with the CWs they questioned at the grand jury. Those topics would have convinced the grand jurors of my innocence. For example, Carmine Sessa was not asked a single question about his procuring Lampasi's address and work schedule for Scarpa.

Strike two: During the Singer speedy pretrial hearing of my codefendant, Johnny Sinagra—the man accused of actually shooting eighteen-year-old Patrick Porco on my orders—Dades admitted filing a false affidavit. He claimed he hadn't read it before swearing to the truth of it. It was a simple affidavit, which would have taken a minute to read. The prosecutor who wrote it testified that he'd gotten the information he put into it from Dades himself. Initially, the judge had relied on the false affidavit to deny the defendant's motion to dismiss. When the defendant's lawyer, Joe Giaramita, uncovered the truth, the judge rescinded his prior ruling and ordered a hearing. After the hearing, the judge blasted Dades and ended up dismissing all charges against the alleged triggerman.

Strike three: During the Singer hearing that led to the alleged triggerman's victory over Vecchione, Dades, and Hynes, the defense lawyer in the case, Joe Giaramita, asked Dades a surprise question. His client, the alleged triggerman, was married to Linda Schiro's niece. Based on information he'd gotten from Schiro's niece, Giaramita asked Dades if he'd had an affair with Linda Schiro's thirty-seven-year-old daughter, Little Linda. The judge disallowed the question. A flustered Dades exploded out of the courtroom, almost slugged a photographer in the lobby, and promptly resigned in disgrace from the D.A.'s office.

Whether Dades had an affair with Little Linda or not doesn't matter. What matters is the conflict of interest his closeness with Schiro's family presents for both investigator and witness. The witness is eager to give the investigator whatever she thinks will help him, and help his career, while seizing at the same time the opportunity a friendly investigator is giving her to help herself. The investigator is eager to accept from any friend, especially an intimate one, whatever he thinks will help her, while at the same helping himself. It's Ethics 101.

By coming up with four murders that resembled those committed by the Mafia Cops, Dades had truly rescued the D.A.'s dormant file against me from a state of oblivion.

The original file against me, which had been delivered to the D.A.'s doorstep on January 29, 2005, was about a different murder—a fifth

Before the first day of my trial, October 15, 2007, justice had been done to Tommy Dades. Justice had been done to Hynes and Vecchione when Sinagra's case was dismissed and the judge delivered his scathing opinion. Dades and Vecchione's book on the Mafia Cops had been postponed because of a legal technicality and wouldn't be published until 2009, so the daily headlines of my murder trial wouldn't give them millions of dollars' worth of free publicity.

Less than a month before my trial, Jo Jo Russo died in prison of cancer.

With my trial coming up, my team and I were not out to get anyone. All we looked forward to was justice. If we were successful, it would mean that Linda Schiro got what she deserved, but this would be an inevitable consequence; it was not our purpose. I looked forward to finally getting my side of these two scandals out in the world and paid attention to.

To coin a phrase, I was confident that "we were going to win this thing." But you never know, do you?