

What the Mob Knew About JFK's Murder

The Death of Racketeer Carlos Marcello Raises Important Old Questions

by Ronald Goldfarb

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IT WAS ODD to read the brief obituary on March 2 and to see that old man's face and eerie stare. What a sad irony, I thought, that in the same year America will mourn the 30th anniversary of the murder of President Kennedy and the 25th anniversary of the death of his brother, Robert F. Kennedy, Carlos Marcello died at home of

Ronald Goldfarb, a Washington lawyer, worked for Robert Kennedy in the Justice Department's organized crime section from 1961-64. His book about that experience will be published next year.

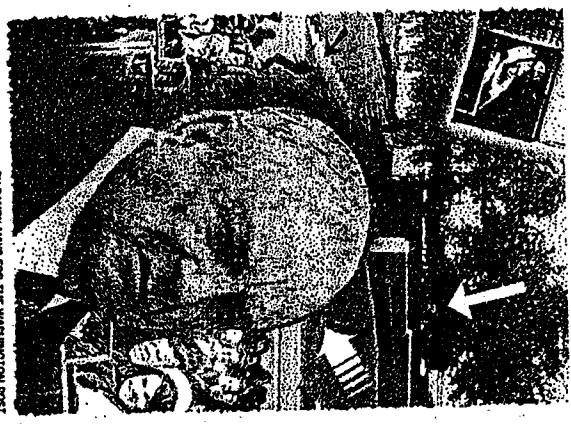
natural causes at the age of 83. Though there is reputable suspicion that the longtime Louisiana mob boss helped mastermind the JFK assassination, he has finally eluded his legions of persistent investigators. His death should not, however, close the file on the mob and JFK's murder.

The link between Marcello and the murder of John F. Kennedy is based on much more than idle speculation. Robert Kennedy's chief and abiding interest as attorney general was organized crime. As soon as he took office, he sought legislation and resources to wage an unprecedented legal war on racketeers. He set up a special organized crime section in the criminal divi-

sion and recruited an elite staff of lawyers to fight the battle.

As part of our strategy, we developed a list of the top 40 racketeers (a list that grew considerably over the years), and each of us was assigned responsibility for a person or area of the country. If not the Mafia boss, Marcello certainly was one of the top bosses. John DiIuguid, a young member of our new group, was assigned several Southern states, including Louisiana. At one of our first regular morning meetings, Kennedy questioned DiIuguid about the status of the Marcello investigations and his long-pending deportation case.

See MARCELLO, C4, Col. 1



BY RANDY MANIS FOR THE WASHINGTON POST

Carlos Marcello was born Colgers Minacore in 1910 in Tunis, Tunisia, of Italian parents. They brought him to the United States when he was a baby but he never obtained U.S. citizenship. Marcello's career in New Orleans included numerous arrests, convictions, reversals and some jail time as he rose to the influential leadership of the local Mafia branch. When called before the Kefauver and McClellan committees investigating organized crime, Marcello cited the Fifth Amendment and kept his silence.

Marcello liked to describe himself as a \$1,600-a-month tomato salesman who had done well with land investments. The New Orleans Crime Commission reported that under Marcello's direction the local Mafia made over \$1.1 billion annually from gambling, prostitution, burglaries and various legitimate businesses. Despite his criminal record, the FBI in New Orleans had left Marcello alone, reporting that he was not involved in organized crime, and that he was "too smart" to allow himself to be wiretapped.

The Kennedy Justice Department was not the first to target Marcello. The U.S. government had been trying to deport him as an undesirable alien since 1952 because of a conviction for a drug violation. Italy eventually agreed to admit him, but Marcello arranged to get phony proof of citizenship in Guatemala. A Marcello intermediary, Carl Noll, negotiated a deal with a local fixer to enter Marcello's birth in the ledger of a small Guatemalan village. This information was tracked down in Guatemala by Diuguid, who recalls that he was followed by Marcello associate David Ferrie. In 1956, Marcello filed a lawsuit in the Italian courts to establish that he was not an Italian citizen.

When we sought to deport Marcello to Guatemala, his immigration lawyer filed suit to enjoin his deportation, claiming Marcello knew nothing of the forged birth certificate. Indeed, Guatemala was a country, Marcello now said, whose language and customs were strange to him; the United States government must have forged his birth certificate.

If Marcello was going to be tough and ingenious, Kennedy would be the same. In 1961, Kennedy moved to deport Marcello as a Guatemalan—a decision carried out in a highly questionable manner. On April 4, 1961, Marcello was arrested, handcuffed, whisked away

to the New Orleans airport, not allowed to call anyone, and flown to Guatemala City on a government plane. He had been shanghaied—denied notice or hearing. Within two months, Marcello worked and paid his way back to the United States through Central America; he said it cost him more in Guatemalan payoffs than he ever paid in the United States. In an act of high chutzpah, the INS brought an illegal entry case against him. That case was eventually dropped.

In October 1961, after Marcello had returned to the United States, he and his brother Joseph were indicted in the federal court in Louisiana for perjury and for conspiring to defraud the INS. In a plea-bargain arrangement, the government had gotten Noll to testify about his work obtaining the false Guatemalan birth certificate. In effect, Marcello had defrauded three governments—Italy, Guatemala and the United States—by creating the phony document, relying on it and disclaiming it to suit his purposes, in different courts at different times.

Marcello's base of operations was a room in the Town and Country Motel in Jefferson Parish, outside New Orleans.

When an informant told government agents that Marcello had hired him to kill a witness in our pending INS case, investigators wired the now-immunized witness and sent him back to the motel. What was overheard were conversations that there was a "contract" out on a prosecution witness.

During Marcello's trial, his associate David Ferrie was often in the courtroom. He is the same David Ferrie who shadowed Diuguid in Guatemala and that New Orleans D.A. Jim Garrison later charged had been involved in the events leading up to the Kennedy assassination. On Nov. 22, 1963, the day Marcello was acquitted and Kennedy was killed, Ferrie and two unidentified friends drove 400 miles to Houston, Texas, supposedly on a hunting trip. Ferrie (a memorable character in Oliver Stone's "JFK") died in February 1967.

The INS trial indicated Marcello's capacity for mischief. Diuguid and his government team began receiving reports that several jurors were fixed. Eventually they got proof that tied payoffs to Marcello, right down to pictures of four jurors cashing checks traceable to Marcello. The four bribed jurors were given immunity and testified, admitting they received the bribes.

The trial judge refused a second time to take extra precautions to protect the next round of trial jurors from being influenced in the jury-fixing case that followed. Marcello was acquitted again. In the end, Marcello fell in the flukiest way—he threw a punch at an FBI agent who had made a provocative personal remark. Marcello ended up serving six months for assaulting a federal officer.

In 1981, Marcello was convicted in California of a racketeering conspiracy to bribe a federal judge. In 1982 he was convicted in Louisiana for mail fraud. The Supreme Court threw out the latter conviction, but he did serve time for the RICO case.

Our efforts with Marcello demonstrated both the elusiveness and power of our quarry—and Kennedy's persistence and commitment to fight hard. There is no question Marcello hated Robert Kennedy. At a September 1962 meeting at Marcello's farm, he blurted a Sicilian curse of revenge at Kennedy; translated it meant, "Get that stone out of my shoe." According to one account of that meeting, Marcello raged: "Don't worry about that little Bobby son of a bitch. He's going to be taken care of."

Hyperbole or threat? In 1979 the House Select Committee on Assassinations disagreed with the Warren Commission's official history and concluded that Lee Harvey Oswald had not acted alone. The Com-

mittee report could not prove who had participated in the assassination, but stated that Marcello, along with Tampa mobster Santos Trafficante and Teamster leader Jimmy Hoffa, "had the motive, means and opportunity to plan and execute a conspiracy to assassinate President Kennedy." Of course they did: Multiple indictments resulting from years of concentrated investigations were pending against Hoffa and Marcello. Trafficante was enraged that his wife had just been subpoenaed to a federal grand jury in Florida.

Many others hated Robert Kennedy for similar reasons. Until last year, however, there was no new credible evidence to support the committee's thesis. Then last summer, Frank Ragano, a long-time lawyer for Trafficante and Hoffa, told Jack Newfield of the New York Post and PBS's "Frontline" of conversations between his two notorious clients and Marcello that gave credence to the committee's speculation.

According to Ragano, now 70, Hoffa and Trafficante conspired with Marcello to kill the president. He had discussions with Hoffa in

1963 in which Hoffa indicated before the fact that he would like to have Kennedy killed. "This has to be done," Hoffa railed to Ragano.

Ragano, Newfield reported, told Trafficante and Marcello that Hoffa wanted Kennedy killed ("I want him dead") and says they thought it was an acceptable idea. In November 1963, Ragano celebrated with Trafficante, who toasted the news that Kennedy was dead: "Our problems are over. I hope Jimmy is happy now," he remembers Trafficante saying. According to Ragano, Hoffa was delighted. "Have you heard the good news?" he quotes Hoffa saying. "They got the S.O.B." A few weeks later, Marcello told Ragano, "Jimmy owes me, and he owes me big." Years later, in 1987, in a deathbed conversation, Trafficante told Ragano that the mob got rid of Hoffa, and that "Carlos [expletive] up. We should've killed Bobby, not Giovanni." Ragano says that Trafficante once told him, "History is bullshit."

Newfield reported that three witnesses support Ragano's statement that Marcello arranged the assassination. An FBI informant in 1976 said Trafficante told him Kennedy was "not going to make it to the election. He was going to be hit." The informant later recanted; in 1978, he was murdered. In 1976, mobster Johnny Roselli said Sam Giancana told him he plotted the assassination with Trafficante and Marcello; Roselli was also murdered. The House assassinations committee sought to interview Giancana about the allegations; before Giancana could testify, he was shot dead by unknown assailants.

A Las Vegas "entrepreneur," Ed Becker, was told by Marcello in September 1962 that he would take

care of Robert Kennedy, and that he would recruit some "nut" to kill JFK so it couldn't be traced to him, according to several accounts. Marcello told Becker that "the dog [President Kennedy] will keep biting you if you only cut off its tail [the attorney general]," but the biting would end if the dog's head was cut off. Becker's information that Marcello was going to arrange the murder of JFK was reported to the FBI, though the FBI says it has no records of the Marcello or the Trafficante threats, nor of wiretapped remarks of Trafficante and Marcello in 1975 that only they knew who killed Kennedy.

Newfield believes Trafficante and Marcello eventually will be shown to be the missing pieces to the "30-year jigsaw puzzle" about the assassination. So does Robert Blakey, a former member of the organized crime section and the counsel to the House assassinations committee. At the time of the committee's report, Blakey concluded, "The mob did it. It's a historical fact."

Ragano told John H. Davis, a Marcello biographer, that Marcello was "the central planner" of the assassination, and that Trafficante and Hoffa supplied "the shooters." What else Ragano knows presumably will come with his book unless his immunized testimony should be compelled sooner by a congressional committee or grand jury.

Carlos Marcello reportedly kept a sign in his office stating, "Three can keep a secret if two are dead." Now, Hoffa, Trafficante and Marcello are all dead. But the final obituary of Carlos Marcello cannot be written until several known sources of information are plumbed.

■ In 1980, Blakey was told by an

assistant director of the FBI that the bureau had 1,350 reels of tape of Marcello, including some of him discussing the assassination. It would not, then, turn over the tapes.

■ John Davis has sued the FBI to gain access to 161 excerpts of tapes compiled by prosecutors who used them when they tried Marcello in 1981 for racketeering. Davis says that some of the tapes include incriminating remarks by Marcello about the assassination. The case is pending in the Federal District Court in Washington.

■ The "President John F. Kennedy Assassination Records Collection Act of 1992" established a five-member review board to be appointed by the president to insure the preservation and to facilitate the public disclosure of all government records relating to the JFK murder. One reason for passage of the act was the failure of the Freedom of Information Act to assure public disclosure of known assassination records. The president was authorized to appoint the review board within 90 days of enactment of the law, which was signed by President Bush on Oct. 26, 1992. President Clinton should act immediately to carry out Congress's intent and to satisfy this legitimate public interest.

Would the existing evidence, as well as any possible new evidence, add up to a case that would hold up in court? Adequate motive abounds. The means were there: Contract murder was in the Marcello and Trafficante repertoires. Marcello had associates in contact with Oswald and Oswald's killer, Jack Ruby. But as a prosecutor I would not go forward with such a circumstantial case. Not yet.