

TONY JEROME



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CHARGES AND COUNTERCHARGES: Lawyer John Jacobs (left) charges that Thomas Puccio and former mob prosecutor Joel Cohen (2d and 3d from left) obtained "sham" legal orders to trap Carmine (Junior) Persico (right) when Puccio headed Brooklyn Organized Crime Strike Force in 1978.

Ex-aide: Puccio cheated

By JERRY CAPECI

Daily News Staff Writer

Top criminal lawyer Thomas Puccio submitted false affidavits when he was a federal mob prosecutor so he could trap Colombo crime family boss Carmine (Junior) Persico in an undercover sting, a former Puccio aide has charged.

Puccio obtained "sham" legal orders from two federal judges "to ensnare Persico" in 1978 when Puccio was head of the Brooklyn Organized Crime Strike Force, according to John Jacobs, who was then Puccio's executive assistant.

In a federal court affidavit, Jacobs charged that Puc-

cio and former strike force prosecutor Joel Cohen violated Persico's right to due process by duping the judges, who then issued the orders without knowing their real purpose.

Jacobs said the prosecutors claimed they needed Persico in New York to testify before a grand jury, but they actually wanted him here for an encounter with a federal undercover agent.

Puccio and Cohen both called Jacobs' charges false.

Jacobs, whose law clients now include reputed Colombo family capo Michael Franzese, leveled the allegations in a six-page affidavit filed before Manhattan Federal Judge John Keenan by Persico's lawyer, Frank Lopez. Lopez is seeking to overturn Persico's recent racketeering conviction.

"I am certain that once Judge Keenan has an opportunity to study these serious charges, he will order a hearing to give former strike force prosecutors their day in court," Lopez said.

In 1978, Persico, who was in Atlanta federal prison, was sent from his prison cell to the strike force offices in Brooklyn after two federal judges signed writs authorizing Persico's transfer to testify before a federal grand jury.

But Persico was never called to the grand jury, and Jacobs charged that the "true purpose of the Persico writs was to aid the undercover investigation."

Prosecutors used the visits to introduce Persico to an Internal Revenue Service agent who was pretending to

be corrupt, and the agent tape-recorded Persico offering a \$250,000 bribe.

The tape recording produced two federal convictions against Persico, one for bribery in 1981 in Brooklyn and the other for racketeering in June in Manhattan. He was sentenced to five years for the Brooklyn conviction, which he served concurrently with a prison term for another conviction. He is to be sentenced Sept. 22 on the racketeering conviction, the same date set for a hearing on Lopez' motion to throw out the charges.

Puccio and Cohen have said they meant no deception because they intended to bring the 53-year-old Persico before the grand jury. They have acknowledged, however, that their "primary purpose" in bringing Persico to

New York was to introduce him to the IRS agent.

Puccio, who is representing former Health and Hospital Corp. President John McLaughlin at his bribery trial, said he was "shocked and disappointed by John Jacobs' statements. He had no involvement in the prosecution and has no knowledge of the handling of the case. Unfortunately for Mr. Persico and for him, his statements are provably false."

Cohen, a member of Puccio's law firm, said the charges were "patently false," adding, "One can only speculate on why Mr. Jacobs has chosen to do this last-ditch favor for Mr. Persico."

Federal prosecutors in Manhattan and Brooklyn declined to comment about Jacobs' charges.

INSIDE



Bill Moyers

BOARDWALK

Did casino gambling save the economy of Atlantic City? Bill Moyers takes a stroll along the famous Boardwalk in a TV report tonight. Kay Gardella, page 89

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ACCU-WEATHER[®]

Local Forecast

Sunny to partly cloudy and pleasant today. Highs 77-82. Clear and cool tonight. Lows 55 in the suburbs to 65 in midtown.

Five Day Forecast

TODAY: Sunny to partly cloudy, nice. High 81, low 65.
TOMORROW: Partial sunshine. High 81, low 67.
THURSDAY: Partly sunny. High 83, low 69.
FRIDAY: Mixed clouds and sun, warm, more humid, chance thundershower. High 85, low 71.
SATURDAY: Some sun, warm, humid. High 85, low 71.

Temperatures in N.Y.

Monday's Max. 84 at 1:25 p.m.
Monday's Min. 71 at 12:01 a.m.
Highest August 11, 102 in 1944.
Lowest August 11, 56 in 1962.
Mean temperature, 78; normal, 76; average temperature departure since August 1, +0.73; Degree days August 10, 0; since July 1, 0, last year to this date, 0, normal to date, 0.

Precipitation

Yesterday, 0.04; total since August 1, 2.15; total since January 1, 23.73 inches; normal since January 1, 25.87 inches; last year to this date, 29.04 inches.

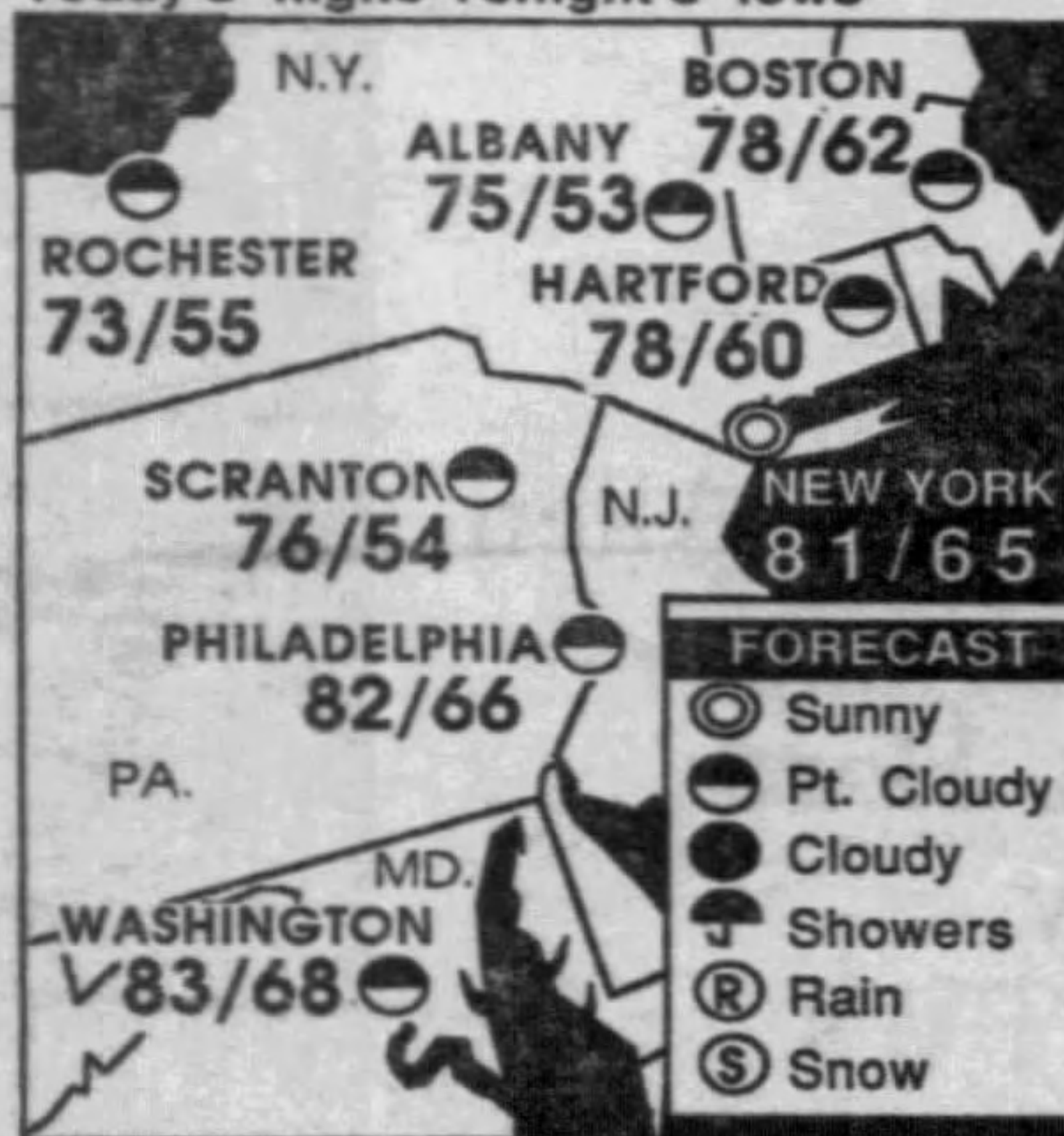
Apparent Temperature

Apparent temperature measures the feel of the weather, taking into account temperatures and relative humidity.
Yesterday: 8 a.m. 73, noon 82, 4 p.m. 86
Today: 8 a.m. 70, noon 78, 4 p.m. 82

Pollution Forecast

Air quality will be good today and Wednesday.

Today's highs-Tonight's lows



Tides

	High	Low
Barnegat In.	12:28	1:13
Sandy Hook	12:49	1:34
Battery	1:21	2:03
Willie's Point	4:13	4:39
Stamford	4:25	4:52
Fire Is. In.	12:09	12:54
Monfauk Pt.	1:23	1:56

Sun, Moon and Planets

Sun rises in New York 6:03 a.m., sets 7:59 p.m.; rises tomorrow 6:04 a.m., sets 7:58 p.m. Moon rises 1:25 p.m., moon sets 11:25 p.m. Morning planets: Saturn, Mercury. Evening planets: Venus, Mars, Jupiter.

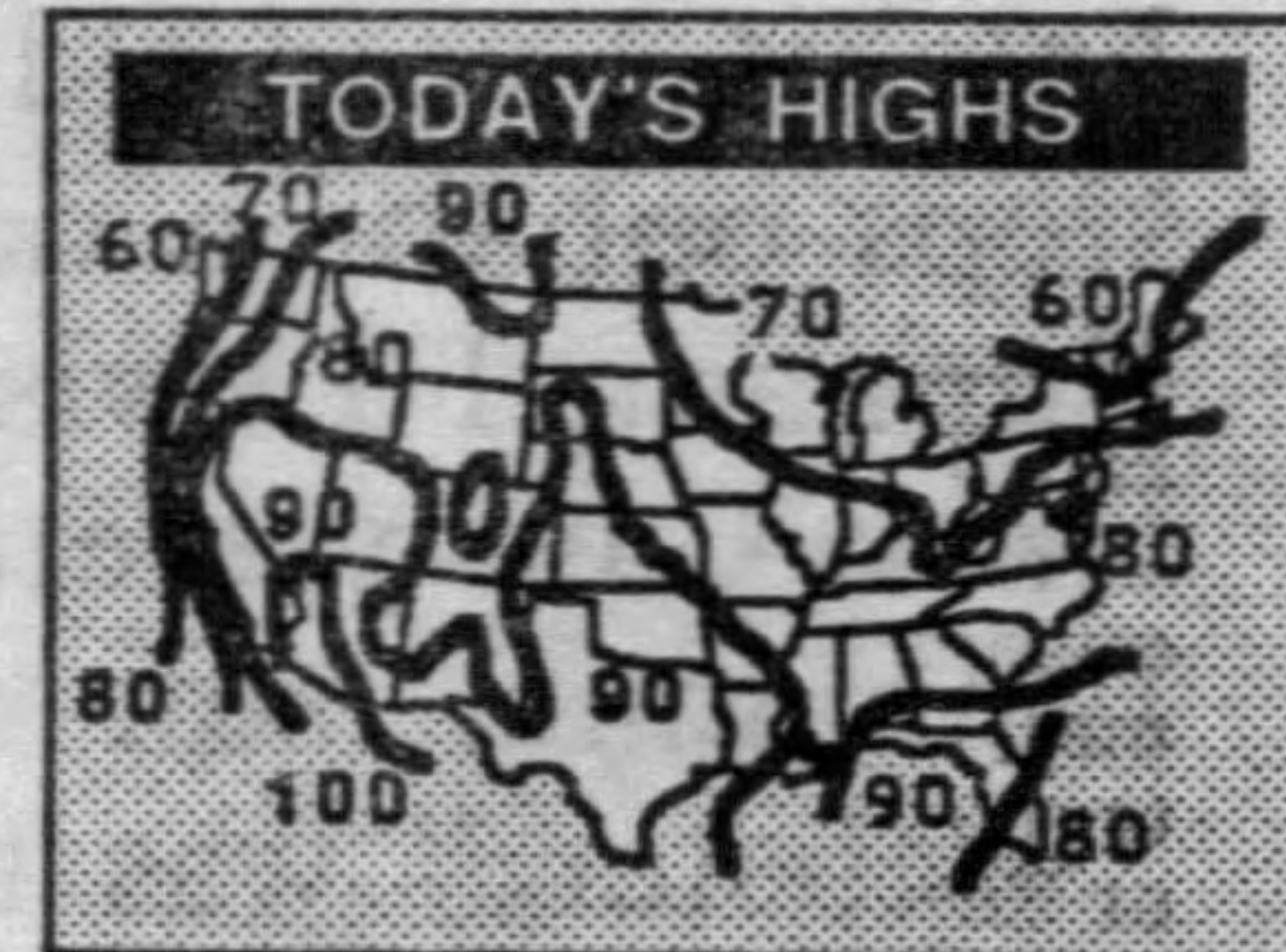
	Aug. 12	Aug. 19	Aug. 27	Sept. 4
☾	First Q.	Full	Last Q.	New

U.S. Cities

City	Today	Tomorrow
Albany	75/47pc	79/54s
Atlanta	83/69f	83/67f
Arlington	81/67pc	79/67pc
Boston	78/62s	80/64s
Chicago	77/59s	83/64s
Cleveland	75/53s	80/56s
Dallas	92/72pc	94/72pc
Denver	88/58pc	88/58pc
Detroit	76/52s	79/56pc
Honolulu	91/77pc	91/75pc
Houston	92/73f	92/75pc
Kansas City	83/65pc	85/68pc
Las Vegas	103/82pc	103/78s
Los Angeles	84/62s	84/62s
Miami	88/77sh	88/77pc
Minneapolis	81/58s	85/66pc
New Orleans	89/74f	91/76pc
Orlando	90/73pc	90/73pc
Phoenix	105/86pc	105/83s
Philadelphia	82/66pc	80/68c
Pittsburgh	78/54s	81/59s
Portland	77/58s	83/58s
Salt Lake City	89/64pc	87/62pc
San Francisco	66/55pc	66/55pc
San Juan	90/76pc	90/76pc
Washington	83/68pc	80/68c

National Summary

Shower and thunderstorms will occur today in parts of the Southeast and the Gulf Coast states. Thunderstorms will be scattered about the Plains states and the Rockies. The remainder of the Nation will be dry with sunny to partly cloudy skies.



Foreign Cities

City	Today	Tomorrow
Athens	93/74s	93/74s
Berlin	76/61pc	79/57s
Cairo	94/72s	94/72s
Dublin	64/55c	68/51pc
Jerusalem	84/60s	84/61s
London	71/55pc	74/57pc
Madrid	90/59s	94/61s
Montreal	70/51pc	73/54s
Moscow	74/52s	71/55sh
Ottawa	68/48pc	71/46s
Paris	78/58pc	82/68pc
Rome	88/67s	86/69s
Stockholm	71/53pc	74/51s
Tokyo	87/74f	84/72pc
Warsaw	76/59pc	78/55s

Key to Codes

- S sunny
- C Cloudy
- R Rain
- I Ice
- SN Snow
- PC Partly cloudy
- SH Showers
- T Thunderstorms
- SF Snow flurries