

2d time around for actor-lawyer

FORMER LONG ISLAND criminal lawyer William F. X. Klan was a professional actor who often played leading roles with a local repertory company.

In 1985, Klan starred as Cornelius Melody in Eugene O'Neill's "Touch of the Poet," a story about an Irish immigrant who conned himself into believing he was a lordly gentleman and military hero.

Three years later, however, Klan failed to convince a jury he hadn't sold out his law clients and set them up for house robberies by thugs who worked for convicted mobster Anthony Colombo.

Klan was convicted of racketeering charges for his role in the robberies of three clients. In one, a woman was raped and sodomized; in another, an elderly man was beaten and tied up, suffered a stroke a few days later, and died.

At sentencing, Klan told Brooklyn Federal Judge Edward Korman he felt "remorse, horror and regrets" about the robberies, but maintained his innocence.

Korman, who had seen and heard the testimony of Klan, the rape victim, and Mary Rokicki, the elderly man's 80-year-old widow, gave the lawyer seven years in prison.

"You betrayed your clients and exposed them to terror," said Korman, who described the sentence he imposed on Klan, then 57, as "significant."

Although Klan did poorly with the jury, and the judge, his lawyer, Barry Fallick, fared much better with the 2d Circuit Court of Appeals, which, by a 2-to-1 vote, reversed the conviction and ordered a new trial for Klan in which "no mention of the sexual assault will be made."

The 2d Circuit's second-guessers ruled that the jury had been allowed to hear too much about the brutality committed against the victim.

The court said "the shocking nature" of the rape became the "centerpiece of the trial" and prejudiced the jury against Klan, even though twice during the trial and during his final instructions Korman had told the jurors not to consider the rape evidence against Klan in their deliberations.

Klan, who served eight months, has been disbarred. No date has been set for the retrial.

★ ★ ★

It's called *omerta*. It's the code of silence men agree to when they become made members of Mafia families, the blood oath they take when they're initiated into a crime family.

Until 1963, when Genovese crime family mobster Joseph (Cago) Valachi became the first, no man had broken the vow, at least publicly.

Tom Kimmel, the head of the FBI's organized crime unit in Philadelphia, tells Gang Land that since Valachi, 10 more American mobsters publicly have broken the code. Six of the 11 are from Philadelphia; three from New York.

The rest, including their ranks, and families:

1. Aladena (Jimmy the Weasel) Fratianno, soldier, Los Angeles.
2. Angelo Linardo, underboss, Cleveland.
3. Thomas (Tommy Del) DelGiorno, capo, Philadelphia.



GANG LAND
JERRY CAPECI

4. Nicholas (Crow) Caramandi, soldier, Philadelphia.
 5. Vincent (Fish) Cafaro, soldier, Genovese family.
 6. Michael Franzese, capo, Colombo family.
 7. Eugene (Gino) Milano, soldier, Philadelphia.
 8. Lawrence (Yogi) Merlino, soldier, Philadelphia.
 9. Philip (Crazy Phil) Leonetti, underboss, Philadelphia.
 10. George Fresolone, soldier, Philadelphia.
- Fresolone deserves at least an asterisk since he tape-recorded his own initiation rite last July.

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Manhattan Assistant U.S. Attorney Frances Fragos, lead prosecutor in the pending drug-trafficking trial of Giovanni (John) Gambino, reports that three members of the Sicilian Mafia have cooperated with American authorities.

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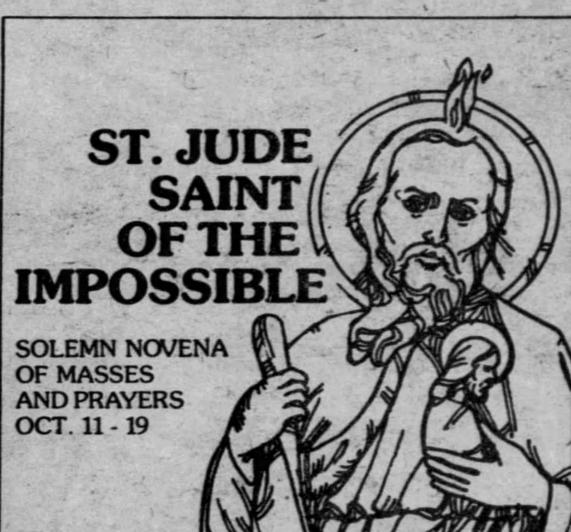
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TOMMASO BUSCETTA, the first Italian-born mobster to break *omerta*, and Salvatore Contorno testified in the so-called Pizza Connection case in which 17 reputed Sicilian and American mobsters were convicted of heroin trafficking in 1987.

The other is Francesco Mannoia, an Italian chemist whom Italy's top Mafia prosecutor, Gianni de Gennaro, has called "the most important witness we've ever had."

Mannoia, whose mother, sister and aunt were killed in a Palermo suburb last year in apparent retaliation, is the key witness against Gambino. Gambino is set for trial next year with brother Giuseppe (Joe) and five others on heroin and cocaine-trafficking charges.



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