

This Week in
GANG LAND
The Online Column

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By Jerry Capeci

Feds Fire 2d Shot In Smoking Gun Case



For nearly two decades, Stevie Blue, Joey Mook and Curly have joked along with a bunch of other Bonanno wiseguys about how Stevie Blue once beat the rap in a Manhattan murder even though he was arrested with the “smoking gun” right after the rubout.

These days though, the joke's on Stevie Blue. The mobster, whose given name is Steven Locurto, (right) now awaits trial on racketeering charges that include the same midtown Manhattan murder for which he has already been acquitted.



The smoking gun murder – and ensuing trial – went down this way: On the night of May 9, 1986, someone pumped five bullets into mob associate Joseph Platia while he was sitting in a car on 10th Avenue and 35th street.

Minutes later, cops who happened by in a patrol car were flagged down by a cabbie who said he had been stopped at a red light and saw the shooter walk west on 34th Street. The cops confronted Locurto on 34th street near 11th Avenue.

They found a .38 caliber revolver in his pocket. The barrel and chamber were still warm; there were five spent shells in the gun. And when one cop put the gun

to his nose and smelled fresh gunpowder, Locurto, then 24, was arrested and charged with murder.

A year later, when trial began with Eugene Porcaro, chief of the District Attorney's Trial Bureau prosecuting the case – young assistant district attorneys were in court every day to “learn how to try a murder case” – things looked, well, pretty blue for Stevie Blue.

But despite the “smoking gun,” and testimony by the cabbie that he saw Locurto shoot the victim several times through the driver's window, the case was a nightmare for the prosecution.

The nightmare stemmed from bad luck (no blood was found on Locurto's clothes) and overconfident police work. Having found the murder weapon, cops never did a paraffin test to determine whether Stevie Blue had fired a gun recently. There was also some good lawyering by defense attorney Joseph Benfante.

Locurto took the stand with a good story. He said that he was on his way to the Javits Center for a job interview when he saw the shooting and ran to the car to see if he could help. When he got there, he said, the assailants, who were pulling

away in a green Cadillac, started firing at him. So for protection, he picked up the gun that cops had found on him. He never fired it, he said.

Benfante called Brooklyn Medical Examiner Dominick DiMaio, who testified that there would have been blood spatter onto Locurto if he had shot the victim as the prosecution contended. Porcaro called an expert to counter DiMaio's opinion, but jurors – who had viewed crime scene photos with blood spatter all over the murder car, a 1986 Lincoln Continental – agreed with DiMaio and found Stevie Blue not guilty of the murder.

He was convicted on gun charges and served two years.

Porcaro, who has headed the Trial Bureau for 21 years, told Gang Land he was "a little shocked" and "discouraged" by the verdict. He recalled believing that his expert had explained that blood spatter can take a few seconds and it was very possible for Locurto to have killed Platia and "not have one speck of blood on him."



Cooperating witnesses at the murder and racketeering trial of family boss Joseph [Massino](#) (right) have told a fresher story. According to their accounts, Stevie Blue killed



Platia a few hours after he had driven Robert Capasio, a Platia crony, to his execution in Brooklyn. That murder was carried out by a hit team that included Joseph (Joey Mook) [D'Amico](#) and Frank ([Curly](#)) Lino. (left)

After [D'Amico](#), Lino and others murdered Robert Capasio on orders from then boss Philip Rastelli, they realized they would have a problem with Platia when Capasio failed to return to Manhattan, so they dispatched Stevie Blue to put that problem to bed.

"We later found out," D'Amico testified, "that Steven Locurto got arrested for carrying a weapon, which was known as the smoking gun case. We used to kid about it....He had shot him and (then-Bonanno capo) Gabe Infanti was supposed to pick him up and he didn't. And Stevie was walking down the street with a gun smoking and he was arrested."

"About ten years later," added D'Amico, "after Stevie got straightened out, we had a conversation, kidding around, I said to him, 'you know, you were one place in New York, I was in another place in Brooklyn.'"

Locurto, who faces life if he's found guilty of the murder and other racketeering charges, certainly isn't laughing about it any longer.

The Last Don Is Done

After 12 years atop the Bonanno family, the only real issue that remains for Joseph [Massino](#) is whether he will die of natural or unnatural causes.



Massino, 61, faces a mandatory life sentence – now set for November 17 – for his racketeering conviction that includes seven murders from 1981 to 1987. But the feds have more in store for him. He is awaiting trial for a 1999 murder for which he faces the same penalty that terror bomber Timothy McVeigh received for killing 168 people in Oklahoma City in 1995.

Last month, Brooklyn Federal Judge Nicholas Garaufis ordered prosecutors to decide by October whether they will seek to execute Massino as payback for the execution-murder of capo [Gerlando](#) (George From Canada) Sciascia. (left)

Attorney General John Ashcroft makes the final call. If he decides to seek capital punishment – Gang Land believes he will – Massino will become only the second American mobster to face capital punishment since Congress began adding that option to crimes for which it can apply in the late 1980s.

The first was Massino underling Thomas (Tommy [Karate](#)) Pitera, (right) a soldier who was convicted in 1992. His life was spared by a Brooklyn federal jury, however, and Pitera is now serving life.



If Ashcroft opts against the death penalty, the upcoming prosecution against Massino would become irrelevant since he already faces mandatory life for last week's convictions.

Return To
GANG LAND

Previous Weeks in
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