

Juror's note sparks stir in mob case

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A letter purportedly written by a conscience-stricken juror in the recent trial of Bonanno crime captain Vincent Basciano has prompted a request by defense attorneys for a hearing about last month's conviction of the Bronx gangster for racketeering murder.

Attorney James Kousouros of Kew Gardens caused the latest stir in the Basciano case when he requested that U.S. District Judge Nicholas Garaufis look into an anonymous letter alleging problems in the jury deliberation concerning the 2001 murder of Frank Santoro.

Basciano, 46, known as "Vinny Gorgeous," was found guilty last month in Brooklyn by a jury of three women and nine men of Santoro's killing, as well as gambling and marijuana trafficking, after about only six hours of deliberation. He faces life in prison when he is sentenced in November. The jury in Basciano's case was anonymous.

In the unsigned letter received by Kousouros, a copy of which is available in the court file, a person claiming to have been a juror said, "I didn't completely agree with the rest of the group when we were in the deliberation process."

The letter writer said prosecutors did a good job but that while Basciano was proved guilty of some crimes, the proof on the Santoro murder wasn't so convincing. A 2006 trial on the same charge ended in a mistrial.

"Due to the fact that I felt that some of the government witnesses were lying and dancing around certain questions to cover their -- and a number of other factors, I came to my final conclusion that Mr. Basciano was guilty of all charges except the murder," the anonymous letter stated. "After I got home, the more I thought about it, the more I felt I should have gone against the grain of the other jurors."

"We are disturbed at the tone and substance of this juror's revelations, particularly with regard to the outcome of the Santoro murder count," said Kousouros in his letter to Garaufis. "As a result, we are asking that the court schedule a conference to discuss this matter, so that we may then make an intelligent, good-faith decision on how best to proceed."

In response, Assistant U.S. Attorney John Buretta told Garaufis there was no need for a hearing and that the law barred disturbing jury verdicts except in extreme cases of impropriety.

Buretta said a hearing would only generate sympathy for Basciano and taint the jury pool for his death penalty trial next year.

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