



E108 Maxi Trial “Iscaro-Saburo”: The Judicial Birth of the Fifth Italian Mafia

*Michele Vaira, JD**, *V. le I Maggio 27, Foggia 71122, ITALY*; *Anna Cornacchio**, *Dept of Forensic Pathology, Osp Colonnello D’Avanzo, Viale degli Aviatori, Foggia 71121, ITALY*; *Palmira Fortarezza, MS**, *Ospedale Tatarella, Cerignola, ITALY*; *Giuseppe Bertozzi, MD**, *Dept of Forensic Pathology, Viale Degli Aviatori, 1, Foggia 71121, ITALY*; *Monica Salerno, MD, PhD**, *Department of Forensic Pathology, Osp. Col. D’Avanzo, Viale degli Aviatori, 1, Foggia 71121, ITALY*; and *Cristoforo Pomara, MD, PhD**, *University of Foggia, Dept Forensic Path, University of Malta, Dept of Anatomy, Faculty of Med & Surg Biomedical Sci, Foggia, Misida, Malta 71100, ITALY*

After attending this presentation, attendees will understand the background of the Mafia in Apulia Italy through criminological analysis and judicial ambiguity.

This presentation will impact the forensic science community by explaining that both scientists and jurists are needed for close interdisciplinary cooperation in the identification of an event that has great political and socio-economic impacts on society.

Italy has historically suffered from a high rate of criminality, organized violence, and the influence of political and economic life from organized crime groups such as the Mafia, in particular the so-called “Cosa Nostra,” in Sicily, the “Camorra” in Campania, the “Ndrangheta” in Calabria, and the “Sacra Corona Unita” in the Apulia region.

The Mafia is a criminal phenomenon with roots in the Sicilian landowner society of the 19th century when bureaucracy was unable to control some very important areas, such as construction industries, public tenders, public services, and credit management. Although the existence of criminal organizations has ancient origins, only in the 1960s did the Italian State begin to face this phenomenon with concrete acts. Gradually, the Mafia developed, with equal influences, in other Italian regions, creating the Mafia, ‘Ndrangheta, Camorra and Sacra Corona Unita.

Law enforcement authorities became aware of the existence of the Gargano Mafia in the 1970s with the murder of Lorenzo Ricucci, shot by Pasquale e Francesco Li Bergolis. Ricucci was a longtime friend of the powerful “Primosa” family. From this criminal act a violent clash originated between two factions: The Lombardi and Miucci family vs. the Primosa family flanked by the Alfieri and Basta family. This feud led to dozens of deaths, with the ultimate goal of not only controlling the entire area, but also imposing their rule on the territory.

Although the 3rd clause of the 416-bis article of the Italian Penal Code defined the “Mafia-like criminal organization” and constitutive elements of crimes, the judicial history of the Gargano Mafia was characterized by the acquittals of all accused subjects from 1979 to 1999. On July 11, 2001, the Court of Assizes of Appeal of Bari explained these acquittals as being linked to a feud, since the executions were not committed in the typical Mafia manner. Simultaneously, the acquittals guaranteed prominent members greater strength and more respect.

Due to the synergy between detective work and forensic sciences, the phenomenon of “Gargano Mafia” finally had its official recognition with the judgment of the Court of Assizes of Foggia on March 7, 2009. This organization used to express itself with a Mafia-Like behavior based on the power of intimidation and the code of silence (the so-called “omertà”). Furthermore, this Mafia family, as well as others was characterized by a rigid hierarchical structure, strong leaders, and, above all, had a strong grip on the territory in which it operated: the Foggia province. This judgment, expressed itself during the maxi-process referred to as “Iscaro-Saburo,” in which 107 defendants were accused of 22 murders, 4 attempted murders, extortion, robbery, port influences, and illegal possession of weapons,



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as well as criminal association and drug trafficking. Currently, after four years, 133 hearings, 700 witnesses, and thousands of pages of transcripts of wiretaps, the judgment concluded with 14 acquittals, 7 convictions varying from 4 to 27 years of imprisonment (for a total of 140 years in prison), and three life sentences.

Mafia, Apulia Region, Trial