

1
2 five minutes, around that time.

3 Q Now you said you became sexually aggressive. What
4 do you mean?

5 A I knew it was either that or he was going
6 to kill me.

7 Q Were you afraid for your life?

8 A Yes.

9 Q What did you do, when you say you became
10 sexually aggressive?

11 A Well, I more or less made sexual advances
12 to him, to save my life.

13 Q And what was his response at that point in time
14 when you did that?

15 A He was fine, he calmed down.

16 Q When you say he calmed down, how do you describe
17 his appearance and his demeanor before you say
18 you became sexually aggressive?

19 A I was terrified. I know he would have
20 murdered me.

21 Q That was your feeling?

22 A Um-hmm.

23 Q How did he act towards you? You said he calmed
24 down.

1

2

A He was fine. He was fine after that.

3

Q How was he before that?

4

A He was vicious, totally vicious.

5

Q When you say that, use that word, can you describe for us what it was that he did that made you draw that conclusion?

7

8

A The force, the beating on me, and the force of the gun in my head. That gun crashed right through my head.

10

11

Q And did you cry at any point in time?

12

A No.

13

Q All right. Now you said that you made overtures to him. What did you say?

14

15

A I told him we can go out Saturday night.

16

Q Did you intend to go out with him Saturday night?

17

18

A No.

19

Q What else did you say to him?

20

A I told him we would go out Saturday night, have a date, we'd have a good time and to please, you know --

22

23

Q What did he say to you?

24

A --not to beat on me. He agreed.

1
2 Q What happened after that?

3 A I drove myself to my home in Boston and
4 we agreed on a date Saturday night.

5 Q You said that you became sexually aggressive
6 or made overtures toward him and he calmed down.
7 Did you engage in any kind of sexual activity
8 with him?

9 A Well, he said due to the pains in his
10 chest he couldn't perform.

11 Q Is that what he said?

12 A Yes.

13 Q And did you have any kind of sexual relationship
14 with him while you were in the car?

15 A He asked for oral sex but I kind of
16 refused and he became aggressive in another way.

17 Q Those are the words he used?

18 A Yes, he asked for oral sex. Those weren't
19 the exact words, but --

20 Q Now, did you ever report this to the police?

21 A No, I didn't.

22 Q Did you ever go out with him again after that?

23 A No.

24 Q Now at some point in time, on or about

1

2

January 1, 1980, did you see Mr. Paradiso again?

3

A Yes, I did.

4

Q Where was this?

5

A This is in Frankie's Place. It was
New Year's Eve, about two in the morning.

7

Q Was Mr. Paradiso there?

8

A Yes.

9

Q Had you seen him during that intervening period
of time between the summer of 1972 and 1980?

10

11

A I saw him chucking quahaugs at the Feast,
yes.

12

13

Q Down at the North End?

14

A Yes.

15

Q Did you have any conversation with him then?

16

A No.

17

Q Now in 1980, New Year's Eve, at this particular
bar, Mr. Paradiso was there?

18

19

A Yes.

20

Q Who was he there with, if you know?

21

A He was there with people, men and women.

22

Q Did you know them?

23

A No.

24

Q And did you have a conversation with him?

1

2

A Yes. He waved me over, but I ignored him.

3

Then the barmaid told me that he wanted to speak

4

to me, so I went over.

5

Q Did you go over by yourself?

6

A Yes.

7

Q Now were you there by yourself?

8

A I was waiting for friends.

9

Q And did you have a conversation with him then?

10

A Yes, I did.

11

Q Tell his Honor what you said to him and what he said to you?

12

13

A He wanted to apologize to me.

14

Q What did he say he was apologizing for?

15

A For the incident that happened.

16

Q Back in '72?

17

A Yes.

18

Q And what did you say to him?

19

A I said I wouldn't accept his apology.

20

Q Was there further conversation? Was there more conversation?

21

22

A Yes, and from there he asked if I had told someone that was close to him about the incident, and I said no, I didn't, but I also said that I

23

24

1
2 know he killed Marie Iannuzzi.

3 Q You him that

4 THE COURT: What did you say?
5 I didn't get the last part of that answer.

6 THE WITNESS: That I know he
7 killed Marie Iannuzzi.

8 Q You told him that you knew that he had killed
9 Marie Iannuzzi?

10 A Yes.

11 Q And who else was there when you said that to
12 him?

13 A No one else heard us. It was just between
14 him and I.

15 Q Did your friends later arrive there?

16 A Yes, they did.

17 Q And did you leave with them that night?

18 A Yes.

19 Q Now one other thing --

20 MR. BURKE: Judge, may we
21 approach the side bar at this time?

22 BENCH CONFERENCE as follows:

23 MR. RAPPAPORT: I'll object in
24 advance.

1
2 MR. BURKE: She saw the
3 Webster family on TV, when they were making a
4 plea for assistance or help in finding their
5 daughter. That was in, I think, December of
6 1981. She subsequently called the --

7 MR. RAPPAPORT: It was January of
8 '82.

9 MR. BURKE: January of '82.
10 She called the parents anonymously and told
11 them that she had information pertinent to the
12 Joan Webster investigation. I'm not sure what
13 bearing that has on this particular overall
14 issue, but I wanted to at least put it on the
15 record, that is, if I asked her those questions,
16 that would be in substance what she would
17 testify to.

18 THE COURT: Well, you're trying
19 to show a pattern of conduct showing a scheme,
20 plan. The fact that she calls some parents,
21 what would that have to do with it, unless you
22 want it in?

23 MR. RAPPAPORT: No, no, I'm
24 objecting to it, your Honor. I don't think it's

1
2 relevant. What we're concerned with is what he
3 may have done to her back in 1971 or '72 that
4 may show a common scheme, a common pattern
5 and/or whatever. I don't think the fact that
6 she may have seen Joan Webster's parents and
7 said "well, this guy did it to me, he must have
8 done it to her", I don't see that it's relevant.

9 MR. BURKE: I'm not going to
10 go into that.

11 THE COURT: Okay.

12 END OF BENCH CONFERENCE.

13 THE COURT: May I see you
14 gentlemen for a minute.

15 BENCH CONFERENCE as follows:

16 THE COURT: I'm going to
17 adjourn at quarter of four today. Do you
18 think you'll be going beyond that in cross?

19 MR. RAPPAPORT: I don't think
20 I'll go beyond that.

21 THE COURT: What do you have,
22 two more witnesses?

23 MR. RAPPAPORT: Judge, I should
24 say, it's just a little bit of a problem.

1
2 Apparently, her story, I intend laboring it out
3 first, but she would testify that she never
4 reported this Paradiso thing to the police.

5 THE COURT: Apparently not.

6 MR. RAPPAPORT: But that she
7 reported it to some friends in the North End,
8 who then paid him a friendly visit, whatever.
9 I want to know who she spoke to. I want to
10 know who she reported it to.

11 MR. BURKE: Judge, I would
12 object to that. I don't think that has anything
13 to do with this particular area we're going into.

14 THE COURT: Maybe she'll be
15 intelligent enough to say "I don't remember".

16 MR. BURKE: Well, she won't.
17 I mean, she's honest, but it's not relevant to
18 this issue.

19 MR. RAPPAPORT: Oh, I think it
20 is. If she's made the statement before, it will
21 either buttress what she's saying now or
22 perhaps it will be inconsistent with what she's
23 saying.

24 MR. BURKE: Well, we're not

1
2 offering here any testimony that might come from
3 either of these two men. I don't think it has
4 any bearing whatsoever. We're dealing specifically
5 with --

6 THE COURT: Well, I suppose
7 it's like a fresh complaint in a way.

8 MR. BURKE: Yes, but if I
9 tried to introduce them as corroborative witnesses,
10 you certainly would say that I was going afield
11 on that part.

12 MR. RAPPAPORT: On this issue,
13 it depends. If I impeach her in some way and
14 I contradict her testimony, you have a right
15 to show it's not recent contrivance, certainly,
16 by showing that there was a complaint to these
17 people earlier. I'm trying to say at this
18 point that there was a contrivance.

19 THE COURT: It wouldn't be
20 uncommon to ask a witness, is this the first time
21 you've told anybody this story? Did you tell
22 anybody back in '72?

23 MR. RAPPAPORT: My question is,
24 what happens if she doesn't divulge the names of

1
2 these people she alledgedly said it to? At
3 that point, what I would do is, I would move
4 to strike the testimony of the witness.

5 MR. BURKE: Well, that's going
6 a little bit far.

7 MR. RAPPAPORT: I could go
8 further; I could ask the Judge to order it, hold
9 her in contempt if she doesn't. I mean, I'm
10 not going that far; I'm just saying she can't just
11 play half the game.

12 THE COURT: Well, I suppose
13 what we could do is -- you want to talk to these
14 people as part of your investigation?

15 MR. RAPPAPORT: Judge, my client
16 has indicated to me that this basically didn't
17 happen, and I have to do what the man tells me
18 to do. The man has got me in a position where --

19 THE COURT: Well --

20 MR. RAPPAPORT: I mean, what I'm
21 saying at this point is, I mean certainly I
22 could --

23 THE COURT: If she says she
24 doesn't want to give the names, why don't you

1
2 say them? Do you know what the names are?

3 MR. RAPPAPORT: No, he doesn't
4 know; otherwise, I'd make him tell me.

5 THE COURT: Well, I think he's
6 entitled to it, really.

7 MR. BURKE: It's not relevant
8 though, Judge.

9 THE COURT: It's relevant,
10 I suppose, as to whether it's a recent contrivance
11 or not. I mean, here it is 1984 and she's telling
12 us about something that happened in '72.

13 MR. RAPPAPORT: Judge, my
14 position vis-a-vis this, even if my brother
15 could show something common, I mean I don't
16 think we've gotten to a nexus anyway, that is,
17 even in point of time. I don't know that anything
18 we've heard yet is necessarily relevant to this
19 particular case. It seems awfully strange to me
20 that out of the blue, suddenly she comes forward.

21 MR. BURKE: This is a North
22 End situation where a lot of things are done,
23 street justice is administered without the
24 benefit of --