CHAPTER TWO: *PASSION*



At present the Court of Reggio is handling an ever-increasing number of cases involving mafia children, both male and female. Some are accompanied by their mothers, other not. Some are removed from the custody of one parent (usually the father, doing hard time in prison), some from both parents. Some speak openly on their own, others' words are reported by their mothers, as in the case mentioned at the opening of this book, in which the mother told Di Bella of her own twelve-year-old son who wished for a Kalashnikov to kill him. In this chapter we will examine, based on Court documents, some of the young and unwilling protagonists of nefarious situations and events far beyond their scope. It will be a painful *passion* comprised of stations of discomfort, torment, and violence which ends with prison or premature death and which, in every case, outlines a life of hell.

1. Murders

P. was not even sixteen years old when he became a murderer. It began with the murder of an arcade hall owner [*omissis*], a crime he committed for a trivial debt of twenty-one Euro which the young man owed the victim. In the interrogation on February 16, 2011, P. tried to exculpate himself by arguing in poor Italian that:

"It came into my head that I had a gun and then I shot him, but only because I was drunk [...] While he was going down, I grabbed him by the sweater, I pulled out the gun without thinking [...] but I fired, because I didn't even know how to load it, maybe it had a shot in the barrel ... I don't really remember."¹

The boy appeals to his own unawareness and weakness of memory. Months later, during the interrogation on June 6, 2011, he gave a different version of events in which he admitted that in his neighborhood it is typical to carry a weapon:

¹ Juvenile Court of Reggio Calabria, Sentence, December 21, 2011, signed by judge Roberto Di Bella, not yet President of the Court, pp. 1-31, p. 5-6.

"In the area of [*omissis*] there are lots of them on the streets, even among kids my age ... they circulate these refurbished guns ... it's the norm here."²

And, with regard to the facts and the cause of the murder, P. reiterated that he didn't remember well, but because of the victim's refusal to change fifty Euro for him without first receiving the twenty-one Euro owed, he felt offended:

"He said to me: 'No, I won't exchange your money. First you have to pay me your debt and... and then I'll change the money". I felt offended..., it was a lack of respect and I wanted to be tough ... and then I pulled out the gun to be tough, to show that I was really pissed off, I loaded the gun [...] I fired and I definitely pulled the trigger."³

The results of expert evaluations found that P. is fully capable of understanding and partially able express his own will. According to the diagnosis of child neuropsychiatrist Maria Zirilli, the child has a borderline personality disorder:

> "a distortion of the personality that is characterized by a poor integration of self-identity, of life lived in a vacuum, of anger and aggressive behavior."⁴

Such a pathology would not have compromised the child's awareness and, despite his altered state, he was able to understand the risks of his action; conversely, this disturbance would have led to "an inadequate capacity to reflect, a confused impulsivity he cannot control."⁵ The report underscores that if

the child were to return into normal society, he would not be able to lead a healthy life. He himself, in many passages, declares that he does not want to return to his usual life, which he perceives as dangerous, with people involved and in the social context to which he belonged and where he feels himself to be potentially dangerous.⁶

This statement shows that the child, given his "personality and dangerousness", must be closely contained in prison for a sufficient period of time and with parallel psychotherapeutic treatment to be carried out in a juvenile correctional facility. The sentence of December 21, 2011 – while taking account of the overall assessment of the youth's partial culpability, despite his acting "with total disregard for the victim's life"⁷ and "with total indifference to his fate, with

² Ivi, p. 8.

³ Ivi, p. 9.

⁴ Ivi, p. 10

⁵ Maria Zirilli, *ibidem*.

⁶ Ivi, p. 11.

⁷ Ivi, p. 19

conditional intent and impetus"⁸ – declares him "guilty of the charged offenses" and condemns him to "a sentence of thirteen years imprisonment."⁹ Judge Di Bella's words in the ruling regarding P. help us to better understand this child's background and what pushed him to kill:

There is no doubt that the child's developmental and family history has scarred his personality, making him violent and antisocial [...]. The documented psychological and criminal progression – even if exacerbated by his borderline personality disorder – allowed the child to internalize the negative cultural values of his home environment, characterized by a precise code of honor – where *omertà*, personal respect and recognition on the part of the other are crucial aspects – and where violence is an acceptable means of resolving personal disputes.¹⁰

Di Bella's words emphasize the young murderer's total adherence to the primitive values of his upbringing, allowing us to understand why the motive was "far from irrational, but instead due to a mistaken sense of honor"¹¹ (a circumstance that is very relevant to the degree of intent), and gives an idea of the foundations of P.'s world.

2. Illegal Trafficking: Drugs

On February 7, 2013, the juvenile court issues a decree for the then sixteen-yearold G., born in 1995 in Reggio Calabria, and previously sentenced (later suspended) to eight months in prison for dealing drugs. The decree signed by Di Bella was necessary, given

the behavioral issues and obstinate adherence to criminal activity, despite a clear awareness of the unlawfulness of this conduct.¹²

The youth represents the ideal mafia-child prototype which the Court of Reggio is working to dismantle: a child condemned from birth to unquestioning adherence to mafia propaganda mafia established by his family and environment. His father was condemned to 41 bis. This arrest and conviction had caused a severe state of anxiety in the young man who was prescribed pharmacological therapy along with psychological support. His mother is evidently unable to control her son's deviant

⁸ Ibidem.

⁹ Ivi, p. 30.

¹⁰ Ivi, p. 13.

¹¹ Ivi, p. 23.

¹² Juvenile Court of Reggio Calabria, Decree, February 7, 2013, signed by Di Bella, pp. 1-6, p. 2.

behavior and unable to guide him, according to Social Services, toward a respect for the values and rules that would have disentangled him from a criminal life. Indeed, the mother never submitted a single request for help or support for the child to the competent authorities. Therefore, the Court, having decided that the young G. – apathetic and indifferent toward available opportunities, a liar,¹³ and a dangerous repeat offender – is in "serious risk of deviance"¹⁴ due in part to the parental situation (father in jail for mafia crimes and mother objectively incapable), has limited both parents' custodial rights and arranged for G. to spend a period of time in a community under the authority of Social Services. The measure includes an educational path to legality and the social rehabilitation as well as a recovery of parental rights for the mother. The judge, given the urgency and gravity of G.'s situation, remarked that

this solution appears to be the only practicable one to remove the juvenile from an otherwise inevitable fate and at the same time to allow him to experience cultural and social alternatives to that of his upbringing.¹⁵

1. Attempted murders

The case of then fifteen-year-old F. (born in 1997),¹⁶ which documents a "crime of attempted aggravated homicide",¹⁷ is emblematic of the Mafia world due to the recurrence of identical motives based on a misguided sense of honor and of offenses perceived as insurrection and a lack of respect for themselves or their family members. The juvenile played a lead role in the vindictive aggression against some youths from a town close to his in Aspromonte, who were "guilty" of not having replied satisfactorily to his father when he asked them to help him buy a pack of cigarettes from vending machine in the town's main square. Perceived by F.'s mother as an unacceptable slight, the boys' refusal to help her husband was reciprocated with violence against them by family members and friends of the offended party. What exactly did the kids do wrong? They were not deferential and responded that they don't smoke and therefore don't know to use the machine, even though one of them, standing a little away, was talking on the

¹³ G., "during the criminal trial, has put forth a manifestly false defense statement", a reconstruction of events which was "clearly contradicted by converging, obvious and unambiguous investigative findings" (both quotes: ivi, p. 1).

¹⁴ Ivi, p. 3.

¹⁵ Ivi, p. 4.

¹⁶ Juvenile Court of Reggio Calabria, Decree, June 19, 2013, signed by Di Bella, pp. 1-9, p. 1.

¹⁷ Ibidem.

phone while smoking. The offended party's status? He was a member of one of the most powerful criminal gangs,

a person of bad moral and civil conduct, with many previous criminal convictions even for 'Ndrangheta crimes, both in terms of financial assets and against persons.¹⁸

Therefore, as is the usual reaction in such cases, the rival group of boys moved from acts of intimidation, to physical aggression by one of them (still a juvenile at the time), ending with a stabbing in the woods "in such a manner as to cause potentially lethal injuries."¹⁹ The young F. willingly played an active role in this whole criminal affair, meant to avenge the alleged shame suffered by his father, while "maintaining that he himself was not the perpetrator of the stabbing."²⁰ F. was sentenced to two years and eleven months imprisonment. However, the judge identified some valid reasons to grant a suspended sentence, in spite of the severity of the incident, F.'s dangerous personality, and his false statements in reporting the facts of the stabbing:

"It was dark... I heard a racket and I went to see what was happening. Then it was dark and I could not see anything... I didn't see anyone, I didn't kick or punch anyone."²¹

Various reasons led to the suspension of the sentence: the strong family influence, the natural psychological subordination to his parents, considered inadequate caretakers by the normal standard, and the progress made by the child during his stay in foster care, where he was placed as a result of the revoking of both parents' custodial rights,²² and where, according to the official Social Services report:

"the educational interventions on this type of conduct were immediate and targeted and have had the desired effects. Thus far the juvenile has proved to be open and willing to talk, receptive to stimulations."²³

The case of F. is important. It allows us to understand, firsthand, the actions of the magistrates in Reggio: they are not persecutory, but respectful of the rights of the child, correct in assessing carefully the pros and cons of delicate and difficult

¹⁸ Juvenile Court of Reggio Calabria, Sentence, June 19, 2013, pp. 1-28, p. 11.

¹⁹ Ivi, p. 14.

²⁰ Ivi, p. 16.

²¹ Ivi, p. 26-27.

²² Juvenile Court of Reggio Calabria, Decree, June 19, 2013, cit., p. 7.

²³ Juvenile Court of Reggio Calabria, Sentence, June 19, 2103, cit., p. 27.

situations. F. benefitted greatly from being removed from the family home for a time. But to better understand these kids' background one must first understand the thought process of the adults who act as their reference model. What we are about to read offers a glimpse of the complexity of being a *mafioso*. The protagonist, in this case, is the father of the young stabbing victim. Di Bella writes:

The particular criminal context in which the crime took place and the authenticity of the statements made by the P.O. [victim] and by his brothers receive further validation from the desperate and disheveled speech of [their] father Z., at the Carabinieri barracks in [*omissis*]] dated August 28, 2012. On this occasion Mr. Z. asked the military to look into the statements made by his sons, who had given investigators a complete reconstruction of the facts. In particular the above showed that in the social-environmental context of the towns of [*omissis*] and [*omissis*] in Aspromonte, always characterized by a climate of *omertà* and mistrust of the government, collaboration with law enforcement could expose his family to the risk of extortion: for this reason and in order to avoid blackmail, he asked if his children's statements could be kept out of the official record.²⁴

The father of a boy nearly killed for completely pointless reasons asks the magistrates for an *ex post facto omertà* regarding his own children's statements, including those of the young stabbing victim, in order to avoid the all-encompassing mafia of which he himself is both a perpetrator and a victim. This father was himself a child of the 'Ndrangheta, and what he has become is exactly what Di Bella's method seeks to avoid with regards to today's mafia children.

2. Illicit trafficking: weapons, crimes and power

Against a backdrop of death and power unfolds the story of O., sixteen years old at the time, sentenced to six years imprisonment for a series of mafia-related crimes.²⁵ A quick glimpse at the young O.'s world allows us to enter into the heart of the problem. The roots of the story stem back to the decades-long war for supremacy between rival *'ndrine*. Feuds waged, on both sides, with torrents of blood and countless dead. This time we are in Oppido Mamertina, the stronghold of powerful 'Ndrangheta *cosche* who jockey with and massacre one another, reviving the quintessential medieval conflict between the Guelphs and the Ghibellines. The most recent episodes of horror date back to 2012 when, in the

²⁴ Ivi, p. 15.

²⁵ The sentence of first instance was confirmed by the other two levels of the Italian legal system: appeal and cassation.

name of an unlikely *pax mafia* to end the massacre and solidify their presence and power in the area, the two rival '*ndrine* reached an agreement founded in blood. In fact, the March 3, 2012 assassination of Domenico Bonnarigo, a boss of the Mazzagatti-Polimeni-Bonarrigo *cosca*, was viewed as an "innocent mistake"²⁶ by Giuseppe Ferraro, the fugitive boss of the enemy Ferraro-Raccosta *cosca*. In the world of the 'Ndrangheta, the concepts of understanding and forgiveness simply do not exist. You always pay for your mistakes with blood. Ferraro betrays his associates who committed the crime and delivers them into the hands of his rivals, "giving them 'clearance' to commit some of the most gruesome murders ever recorded in legal history",²⁷ by providing useful information to the Mazzagatti-Polimeni-Bonarrigo *cosca* so they could find, kidnap and kill the culprits. Di Bella writes:

It became quite clear to someone with such mafia ties and criminal experience as Giuseppe Ferraro that their blood was the tribute necessary to end hostilities within the area and above all, in a law unique to the 'Ndrangheta, to be observed when dealing with such a grave "disagreement" between *cosche*.²⁸

All phases and protagonists of this story are known to the public thanks to the results of the *Erinni antimafia* operation conducted by the DDA of Reggio Calabria and by law enforcement.²⁹ Among the executioners of Domenico Bonarrigo's assassins is the victim's stepson, Simone Pepe (born in 1989). A man of extreme cruelty, he bragged of having committed four murders along with his accomplices:³⁰ those of the handler and hit men who had killed his stepfather,³¹ as heard in intercepted calls.³² In these conversations he admits: "*I already did it, I*

²⁶ Juvenile Court of Reggio Calabria, Sentence, September 19, 2014, signed by Roberto Di Bella, pp. 1-52, p. 11.

²⁷ Ibidem.

²⁸ Ibidem.

²⁹ See <u>www.strettoweb.com/2013/11/ndrangheta-nomi-foto-e-tutti-i-dettagli-delloperazione-</u> <u>erinni/105236</u>, November 26, 2013. Wikipedia includes an entry about this affair: <u>https://it.wikipedia.org/wiki/Faida_di_Oppido_Mamertina.</u>

³⁰ These are the names of the accomplices to the brutal murders of Francesco Raccosta and Carmine Putrino: Pasquale Rustico, Rocco Mazzagatti and Domenico Scarfone (Juvenile Court of Reggio Calabria, Sentence, September 19, 2014, cit., p. 13).

³¹ Here is the list of the victims: handler Vincenzo Ferrara killed on March 13, 2012 (only ten days after the murder of Domenico Bonarrigo); hit men Francesco Raccosta and Carmine Putrino, kidnapped and killed on the same day, March 13, 2012, and Vincenzo Raccosta, killed on May 10, 2012, (ivi, pp. 11-15).

³² Information is taken from the January 20, 2013 conversation between Simone Pepe and Matteo Scarponi, and the February 18, 2013 conversation between Pepe and his uncle, Fabio Pepe, "where the godson of Domenico Bonarrigo gives a substantial confession to the killings" (Di Bella, ivi, p. 15).

already massacred them, the four I was interested in", ³³ and he tells how Francesco Raccosta and Carmine Putrino were taken, beaten, killed and, in the case of Raccosta, fed to the pigs while still alive. I shall cite an excerpt so that the reader can better understand what we mean, today in the twenty-first century, when we speak of the 'Ndrangheta as a primitive, tribal and brutal subculture. From the interception of Conversation n. 3450, here are the words of the then twenty-four-year-old, suspected of multiple homicides:

I find these guys [Francis Raccosta and Carmine Putrino] who are on top of a green Panda 4x4 [vehicle] which they borrowed from someone else so we wouldn't see them leaving the village. We caught them right away [...] Anyway, I go: "I want to look him in the eyes while I kill him", I told him, "...umm... Simone cut it out, don't do this stuff, knock it off, Simone, this is something you'll carry inside of you your whole life, just remember Simone, knock it off, you're not playing, this is not a game, Simone, this is your life [...]. Shoot them and be done with it." I took the shovel we use to scoop shit... pig shit [...], he thinks he was bound and was on his knees because I was going to shoot him in the head, execution style, a shot to the head [...]. We had these pigs ... I told him, "Now I'll make you die while you are still alive and let's see how you suffer, you piece of shit." We grab him and ...I attached him like a ham [...], on the pulley ...yeah, I attached him by the feet and I started hitting him with the shovel everywhere and ... he ... he was already half dead ... he had turned black in the face ... it was a beautiful sensation, no, even better [...] We threw him inside the food trough [...] aaahh....it was total satisfaction to hear him scream... my God how he screamed [...] there was nothing left, all I saw were bones ... I saw one crunching on his tibia [...] I said, "this pig sure can eat!".³⁴

The narrator is a stepson of the 'Ndrangheta, a worthy heir to his stepfather who molded and raised him, whose case makes us reflect on the meaning of 'a mafia based on blood ties.' After the assassination of *Mimmo* Bonarrigo, whom Simone Pepe called "father",³⁵ Pepe and his friends, planning revenge, reiterated to their friend Matteo Scarponi:

my father was dead, Matte', they wanted to take his place, they thought they could do it but they couldn't because, fortunately, Mimmo had a son, me, and I've got brains...³⁶

³³ Ibidem.

³⁴ Juvenile Court of Reggio Calabria, Sentence, September 19, 2014, cit., p. 14.

³⁵ Domenico Bonarrigo had married Simone Pepe's mother (he had a different biological father); ivi, p. 7.

³⁶ Conversation N. 3449 of January 20, 2013; *ibidem*.

Simone Pepe, now serving sixteen years in prison,³⁷ was at the height of his glory at the time of his arrest on November 26, 2013. His was the glory of the son of an 'Ndrangheta boss, steeped in death, anger, and violence. He was a bully who elicited respect through terror, a charismatic leader whose status enthralled the younger generations. And this is the link that leads us to the young O. Growing up in the same place and environment, O. found his role model and inspiration in Pepe. So it should come as no surprise that O. was sentenced to six years imprisonment for being a willing member of the Mazzagatti-Polimeni-Bonarrigo 'ndrina in which Pepe was the rising star. The judicial acts confirm

that O. was a weapons supplier for Simone Pepe (and, therefore, for the *cosca*) and was fully aware the criminal purpose for the arms he supplied, i.e. using them for committing murders or attacks on enemies of the above-mentioned group.³⁸

Based on documents and evidence (including several interceptions) used by the Reggio Court, young O.'s role as a supplier of deadly weapons, his inclusion as a member of the mafia to which Pepe belonged and with whom the boy shared frequent coded conversations ('moto' for 'weapon'; 'bampata' for 'used'), and his fear of being the victim of an ambush, all seem incontrovertible. Here is an example of their exchanges (from a telephone conversation at 11:30 pm on June 20, 2012, after the four murders had already occurred):

O.:	They got you! [They shot you?]
Pepe:	Yeah, that's right! []
O.:	Are they from here? [Oppido Mamertina]
Pepe:	No, here [Rome] []
O.:	And what do you want?
Pepe:	What do I want to do? I'll take them out [I'll kill them] get
	yourselves ready, it'll happen in two days, max ³⁹

They seem to be discussing tactics from a video game. But these words are real and the two speakers are not playing games. Another example from later in the conversation, in poor Italian:

³⁸ Ivi, p. 36.

³⁷ The September 30, 2016 sentence of first instance (assise) issued by the judges of the Criminal Court of Palmi (President Silvia Capone), within the framework of the process called Erinni, condemned Simone Pepe to sixteen years in prison, reducing the request for life imprisonment by the Public Prosecutor. The September 10, 2018 sentence of second instance (appeal) cancelled the omicide accusation and the mafia assocciation crime, and condemned Simone Pepe to six years in prison. For the sentence and conviction to be confirmed they must pass the third and last level of Italian law (cassation).

³⁹ Ivi, p. 39. It should be noted that Pepe had to move away from Calabria and was hiding in Rome, where he suffered an attempt on his life, referenced in this conversation.

O.: Pepe:	You areumyou don't have anything there? Nothing! That 'moto' you sent [Referring to a weapon]
0.:	Yeah?
Pepe:	We used it two days after we got it, because we needed it!
O.:	Oh!
Pepe:	You didn't know that it was 'bampata' [used]that we used it!
0.:	Yes, but the one that I sent to you? That I sent you personally
Pepe:	I know [] I needed that one to do something!
0.:	There aren't any more?
Pepe:	No []
0.:	Let me see what I can find, right now I now have zero
Pepe:	Yeah, see, see, I don't know what to tell you, see what you can do, because the situation is absolutely critical. ⁴⁰

Within the Acts of the Court emerges this disturbing figure of O.: an acting member in Pepe's 'ndrina; involved in the illegal trafficking and stocking of weapons reserved mostly for Pepe; a supplier of valuable information to Pepe on what was happening in Oppido Mamertina; a close liaison to other youths, likely members of his *cosca*. Further aggravating the situation is the evidence that proved his intention of going to Rome to bring weapons to Pepe or, at the very least, of helping him to avenge the armed ambush. All of this is supported by the evidence that the same Pepe showed extreme trust and confidence in the young O., often turning to him in difficult moments. In his conclusions Di Bella declares:

There is no doubt that the unlawful conduct of O., under the spell of the charismatic criminal personality of Simone Pepe, reveals a particular proclivity toward crime, an alarming nonchalance in performing criminal acts, and an apparent contempt for the Law.⁴¹

The story of Pepe and that of O. illustrate the disastrous consequences of the 'Ndrangheta's founding principles: the blood ties and bad upbringing offered by corrupt individuals and social environments.

3. Discomfort and harassment

The case of the child M. (born in 2008) allows us to see firsthand the misfortune of being born into an 'Ndrangheta family. The child's mother escaped from the 'Ndrangheta and, in a brave and difficult move, became a State's witness, thus

⁴⁰ Ibidem.

⁴¹ Ivi, p. 47.

showing why the 'Ndrangheta is so difficult to combat: accusing your own family is perceived as an unnatural act. She named her father, brother, and cousin as the murderers of the young man with whom she had had an extramarital affair. The subsequent criminal litigation against her father and brother, in which her husband (who had once tried to strangle her, causing her serious injuries) and family members made known their personal resentment against her, pushed the woman to seek the help of the State. The Court, therefore, at the request of the District Attorney in an April 2013 decree, ruled to revoke the parental rights of the Father; gave full custody of the child to his mother; adopted a temporary witness protection plan for the mother and child in a protected location; supervised monthly meetings between the father and child with psychological assistance from Social Services in order to avoid mistreatment or undue pressures on the child (for example, inducing the mother to recant and to leave the path of legality she has chosen). However, the mother decided voluntarily turn down the witness protection program, giving as a reason for this choice her need for "more freedom" to choose the Northern Italian city in which to live, and her wish not to deprive the child of his father, due to restrictions imposed by the witness protection program:

"The child suffers because he misses his father, and his condition exacerbates my own emotional instability."⁴²

The woman confirmed, however, her concerns for her child's fate:

"I heard what my husband said during the June 11, 2013 hearing before the Juvenile Court of Reggio Calabria, and I reiterate my detachment from the culture in which he and all my relatives are immersed [...]. I would like my son to grow up differently from them, with respect for shared social values, not in a culture where honor, respect and violence are mandatory values."⁴³

She asked for different protective measures for herself, and while insisting implicitly on sole custody, she also wanted authorization for contacts and meetings, even in Calabria, between the father and child

in order to alleviate the child's suffering due to his a strong emotional bond with the parent, but on the condition that their relationship was civil and the child was not exploited to persuade her to withdraw her accusations.⁴⁴

⁴² Juvenile Court of Reggio Calabria, Decree n. 421/14 R.V.G., March 3, 2015, signed by President Roberto Di Bella, pp. 1-16, p. 4.

⁴³ Ibidem.

⁴⁴ Ivi, p. 5.

However, it was still an uphill road, and the gravity of the situation began to weigh heavily. With a decree on July 2, 2013, the judge in Reggio criticized the conduct of the father, who – although not yet convicted of a crime – had not expressed any detachment from the criminal lifestyle of his wife's family or remorse for the youth whom his father-in-law had murdered with a tire iron. Indeed, statements and omissions by M.'s father during the trial demonstrate his complete and disturbing adherence to 'Ndrangheta culture. With regard to the murder committed by his father-in-law, he commented:

In order to judge one must go back and look at the prior facts and then one should consider that the victim was with a woman who still was married... It's not right to kill a man, but sometimes things happen for the smallest reason. Today you can die even over a parking spot. My own father was killed in 1989 and we never understood why.⁴⁵

A mafia son himself, child of a murdered father, passive and fatalistic with regard to the difference between life and death: what sort of values can such a father transmit to his child? This is the key question that pushed Di Bella in 2012 to undertake his judicial path with the protocol and the project *Free to choose*. The father's statements on his wife's role as a State's witness are similarly tainted by the mafia stain. After an apparent repentance – "*I recognize that it was wrong to put my hands around her neck*"⁴⁶ – he alleged with conviction that neither he nor other members of the family held any resentment against her, and everyone (including himself) understood and justified the accusations that she had formulated as attributable to the woman's mental confusion:

"They excused her for what she said because they knew at that time she was sick, in the sense that she was depressed, even if she wasn't under a doctor's care."⁴⁷

In short, according to young M.'s father, the case of the murder of his wife's friend by his father-in-law, know as "*the great worker*", was just tabloid hype;⁴⁸ as for his wife, everyone in the family (him foremost) love, understand and forgive her, because – according to the well-worn cliché – she is crazy and nobody should believe her. For these reasons the Court, with the July 2, 2013 decree confirmed:

sole custody of the child is entrusted to the mother, and the father's parental rights are revoked; however, following the wishes of the

⁴⁵ Ivi, p. 6.

⁴⁶ Ibidem.

⁴⁷ Ivi, p. 7.

⁴⁸ Ivi, p. 6.

abovementioned mother and in order to support the emotional needs of the child, he is authorized to meet and keep the child with him in accordance with certain rules.⁴⁹

But the situation becomes yet more complicated as events unfold. In a hearing on October 2, 2014, M.'s mother expressed concern for the child and for herself. On June 12, 2014, during the trial for her lover's murder in the Criminal Court of [omissis], her testimony contributed to the weighty sentences for her father, brother and cousin. From that moment, the family's attitude and the relationship with her husband changed radically. In accordance with the rules and the code of the 'Ndrangheta, she was doubly a traitor: first for having cheated on her husband, and then for having spoken to the cops and accusing her relatives of murder. Consequently, M.'s father has ignored and violated the decisions of the Court: he ceased payments to the mother of a monthly agreed-upon sum (2,500 euro), depriving her of resources for the child's maintenance; he became extremely menacing and violent; he hit her in the face, giving her a black eye in front of the child, who was deeply traumatized. In addition, the woman complained that the working relationship they had achieved in raising their child, which until then had been acceptable, had changed. In particular, she stressed that after a stay in Calabria which occurred after her testimony, the child's attitude toward her suddenly changed, to the point that he did not want to go back to live with her: "I was forced to leave him in Calabria because the child cried for a week."⁵⁰ Also showing an aggression never seen before, the child "used expressions and formulated judgments that were not his own and not typical for his age."⁵¹

The father, in breach of the law, enrolled him in the elementary school in his county of Calabria, while the child should have gone to school in his mother's new city. The woman added that

when talking on the phone with the child, it was typical to hear her husband and mother-in-law shouting insults against her in the presence of the child. 52

On this point, I must emphasize the extreme – and necessary – firmness on the part of Di Bella, whose initiative stemmed from a similar case, one which unfortunately ended in bloodshed for the victim, a young mother named Cetta – to whom I will return in the next chapter.

⁴⁹ Ivi, p. 7.

⁵⁰ Ivi, p. 8.

⁵¹ Ibidem.

⁵² Ibidem.

The surge in the father's violent conduct against his wife in the presence of the child, and his repeated devaluation of the maternal role, have led to his indictment for the offense of domestic abuse according to Art. 572 of the Criminal Code, which shall be handled by the relevant authorities. As a consequence of this behavior, the mother was granted sole custody of the child, and the father's custodial rights moved from a "partial limitation" to a "complete revocation." It should also be noted that, despite the latter representing a "harmful educational model" (Di Bella),⁵³ the same judge, respecting the emotional needs of the child, has left open the possibility of meetings between the parent and child, with the assistance, supervision, and support of Social Services, in order to ensure the child's safety and not to undermine his delicate emotional stability.

4. Domestic violence, threats, and fear

This time the victims⁵⁴ are an Eastern European woman, married to a violent Calabrian *mafioso*, and their daughter E., born in 2006. In the mother's words:

In addition to these episodes there were various quarrels between me and him for silly reasons, and he always beat me, mostly punching me in the head, pulling my hair and sometimes kicking me. I remember one night, when he was angry with his mother, he was kicking me while our baby was in the same bed. In November 2012 my daughter and I were in bed, he came back home screaming. As soon as he came into the room I told him to lower his voice so he wouldn't wake the baby and for this he punched me. I moved out of the way, but he hit the baby on the head and she woke up crying; at this point I was sick of the situation, so in January I left the house and I moved to Gioia Tauro. I couldn't stay in [*omissis*] because my husband's family is well known and nobody would have helped me.⁵⁵

The mother complained of having been continuously insulted and abused by her spouse for years. The abuse often took place in the presence of the child E., when he wasn't beating the little girl herself. She said that the violence continued even after their separation – "*Bitch! Whore! You left home*!"⁵⁶ – with death threats even in front of E., who had developed negative feelings and hatred toward her father:

⁵³ Ivi, p. 11.

⁵⁴ Juvenile Court of Reggio Calabria, Decree n. 321/2103 R.V.G., May 19, 2015, signed by President Di Bella, pp. 1-16. On p.3 one reads that the paternal surname belongs to the powerful [...] family "known as members of local organized crime."

⁵⁵ Ivi, p. 2.

⁵⁶ The father's words, *ibidem*.

"Now she is scared, and for the last three months she does not want to see him."⁵⁷ In fact the little girl at first had agreed to see him in order to protect her mother from beatings: "In the previous months she went because she realized that if I didn't allow her to go with her father he would have beaten me."⁵⁸ The mother added that on one occasion the girl, crying, reported that she had been insulted by her father because she didn't know how to tie her shoes ("stupid piece of shit").⁵⁹ On another occasion, which highlights the father's lack of empathy with his daughter, he provoked a strong emotional reaction from E. when she refused to give him a kiss after receiving a gift from him. The mother stated, moreover, that she had never gone to the police for fear of retaliation by her husband or members of his family.

The case of little E. is indicative of the great care with which the Court of Reggio works, according to which, initially, the above statements were

on the one hand sufficient for considering the father's parental abilities inadequate, to the point of suggesting the adoption of a measure to limit his parental rights; on the other hand, they did not justify the complete revocation of rights requested by the Public Prosecutor.⁶⁰

This is why, with all necessary safeguards guaranteed by the relevant institutions, the father would have been able to see the child. Later, however, thanks to the notes from January 31, 2014 and December 19, 2014 reported by the Protective Services of the Ministry of the Interior (into which program the mother and child have been accepted with relocation to a safe area), it emerged that continued meetings between the child and her father were no longer possible⁶¹ due to E.'s refusal, which she explained to the psychologist:

"she has very negative memories caused by the meetings she has had with her father in her birthplace" and "she does not miss her relatives back in her birthplace because there were so many quarrels, and both her dad and her grandparents did not love her."⁶²

After Latella received this note from the Juvenile Prosecutor of Reggio Calabria, he renewed his request for the revocation of the father's parental rights, according

⁶² Ibidem.

⁵⁷ Ibidem.

⁵⁸ Ibidem.

⁵⁹ Ibidem.

⁶⁰ Ivi, p. 5.

⁶¹ Provided by order of the Civil Court of Vibo Valentia in the separation order between the spouses; see ivi, p. 6.

to Art. 330 of the Civil Code, with no visitations between the father and child. The Court, having seen the results of this new investigation, finally accepted Latella's request. I shall cite here some excerpts so that the reader may better visualize the 'Ndrangheta underworld from which these children must be saved. In the first place, the Mobile Command Unit of Catanzaro had found a typewritten standard disclaimer form, with the handwritten date of January 23, 2013, in the family home of E.'s father, evidence that the family tried to make E.'s mother sign a document that would clear them of having subjugated her throughout her time in their home and country.⁶³ The woman repeated in detail that she always suffered ill treatment and harassment by her husband's family, who over the years had forbidden her to leave the house or have contact with other people, forcing her to work inhuman hours as a slave in their bakery and their house:

"I continued to suffer as a slave for [omissis] until I no longer had the strength to work for twenty hours per day; I had to clean the house where my parents-in-law lived, care for my child and also manage the bread production."⁶⁴

The woman then pointed out that after her first attempt to rebel (in particular, after family members saw her hay hello to a police officer from a neighboring town), her husband beat her "*with kicks to the belly and punches to the head*", and both he and the mother-in-law threatened her, the latter saying "*she would cut off her head*" and make her daughter motherless, as had happened with "*Tita*",⁶⁵ the wife

⁶³ See ivi, p. 7.

⁶⁴ Ibidem.

⁶⁵ In 1989, at fifteen years old, Santa *Tita* Buccafusca (class 1974) had met her future husband, Pantaleone Mancuso (class 1961), alias Scarpuni, considered one of the most powerful and bloodthirsty 'Ndrangheta bosses, now incarcerated. Tita died on April 18, 2011, at the hospital of Polistena, two days after swallowing hydrochloric acid while at home. The investigation into incitement to suicide was then closed. But after almost five years the case was reopened. Her death, according to a new hypothesis proposed by the District Anti-Mafia Directive of Catanzaro, was connected to the woman's escape from her marital home one month prior, to ask for shelter and state protection. On the morning of March 14, 2011, Tita, with her child in her arms, came to the police station of Nicotera Marina asking for help. Two days before, in San Calogero, the drug boss Vincenzo Barbieri, king of cocaine imported from South American cartels, was assassinated. Tita told the Carabinieri: "They are killing each other like dogs...". She added: "Go to my house and seize the computer before it disappears." She was relocated to the regional headquarters of the Carabinieri of Catanzaro. Now under protection by the Carabinieri, she wanted to call her husband to tell him that she had decided to make life changes to give her son a better future, and to collaborate with law enforcement, to inform them about herself, her husband, and the 'Ndrangheta. The next day, on awakening she was ready to sign the depositions, with the *Carabinieri* and magistrates all around her, and assisted by psychiatric staff because in the past she had suffered 'acute paranoid reactions.' They gave her the two-page document: she stopped halfway through her signature on the first page. At that point an official from the ROS [Special Ops Squad], asked her in a "clear and firm" manner - we read in a report to the DDA - to make her choice, because otherwise she would lose her armed security, since there would be no basis for protective services. Tita then asked to speak with her sister. They shared a quiet and affectionate phone call, at the end of which she told the Carabinieri: "I'm not signing, I'm definitely not signing." Her sister and

of a powerful mafia boss from the same family as E.'s father, who in her despair found the strength to go to the *Carabinieri*, thus causing panic among her husband's *cosca*, and who died shortly after under suspicious circumstances, after falling into a state of deep depression:

"My husband and my mother-in-law always said that I would meet the same end. I was really terrified. I have told you the story of Tita to show that my every attempt to reason with my husband and in-laws resulted in beatings and threats that, after Tita's death, were a clear reference to her demise."⁶⁶

Although the beatings were a daily routine with frequent injuries that should have required medical care, the woman added that she never sought medical help because she knew she couldn't trust the doctors in the local hospital, all of whom followed the orders of her husband's *cosca*. Her initial decision to leave the town and relocate to Gioia Tauro was met with threats and violence. Exasperated, she confided with her own mother who lived abroad in her homeland, and with Tita who, before her death, had become her confidante about separating herself from her husband's mafia family. As a result, the woman decided to collaborate with law enforcement, fearing for her own life and that of her child.

Her statements were then reflected in a conversation, dated June 15, 2008, intercepted during investigations carried out in the same area for an attack against a couple, the woman of which was a close relative of E.'s father. During the conversation two friends speak while driving in a car, and referring to E.'s mother, say they can't believe they had never seen her around, given that she is a foreigner, except one time crying in church, They added that "she was clearly worn out by the mistreatment she suffers (They are killing her with beatings, you know! Just like the wife of [*omissis*])".⁶⁷

To this evidence we may add the expert testimony of a psychologist from the Family Counseling Center of Gioia Tauro (see the March 3, 2015 memo). The expert stated that the lady was very exhausted and scared, and that the little girl, giving the same version of events and consistent in her testimony, had also indicated in their regular talks the maltreatment her mom suffered, showing an

brother-in-law arrived in Catanzaro on the evening of March 15, 2011 to pick her up and bring her back to her house and her husband, Pantaleone Mancuso. A month later, on April 16, Mancuso went to the *Carabinieri* of Nicotera Marina explaining that his wife had drunk hydrochloric acid. Her death made headlines in all the national media. For more details on the information summarised here see: http://www.ilvibonese.it/cronaca/2671-morte-tita-buccafusca-dda-inchiesta.

⁶⁶ Ivi, p. 8.

⁶⁷ Ivi, p. 9.

"unusually protective attitude toward her mother (not appropriate to her role as daughter)".⁶⁸

After hearing about this ever-increasing list of horrors, the constant degradation of the mother, and the serious repercussions on the delicate emotional state of an eleven-year-old girl, on May 19, 2015 the Reggio Court, in order to save the child and her mother, declared the father "unfit to maintain custodial rights with respect to his daughter E." and prohibited "any contact between the minor E. and her father."⁶⁹

5. Aggression and terror

The life of B. and her three children (born in 2001, 2005, and 2010, respectively) also fall within the context of this *continuum* of violence. The mother was caught in a double stranglehold: by the threats, abuse, and aggressions against her on the part of her ex-husband F. during their difficult separation, and by the feared vendetta against her current partner, an ex*-mafioso* considered a rat. Looking for a means of escape, on January 23, 2015 B. asked the ROS to place her under security detail, in view of her partner G. B.'s recent collaboration with law enforcement, which had progressed to criminal proceedings.⁷⁰ She also made this choice to protect herself and her three children born from the marriage with her ex-husband, from whom she feared retaliation and from whom she often received scorn, beatings and death threats in her children's presence. From 2012 to 2014 she had filed a series of complaints and restraining orders against him, sometimes requiring the intervention of the *Carabinieri* for his violent and abusive conduct. From the April 11, 2012 complaint:

"Because of threats I received, I was afraid that he would hurt me ... my ex-husband walked right up to me and told me all threateningly that I should not dare to write him in a text message that he can only see his children through a lawyer... at the same time he was slapping me in the face, shaking me, yanking my hair and scarf, abusing me with slurs like "whore", threatening to kill me and my family, and while he was about to hurl a chair at me my cousin [*omissis*] intervened. Present during this incident were my son C., who saw what happened and started to cry, and my daughter N., who fled the house in fear and locked herself in the car... I suffered from pain in my neck, face, and in my right eye, so I decided to go to the emergency

⁶⁸ Ibidem.

⁶⁹ Ivi, p. 14.

⁷⁰ "Criminal proceeding n. 1151/10 RGNR of the DDA of Reggio Calabria", Juvenile Court of Reggio Calabria, Decree n. 21/15 R.V.G., March 31, 2015, signed by Di Bella, pp. 1-21, p. 2.

room in Gioia Tauro, where I was given an estimated recovery time of 5 days as stated in the medical report."⁷¹

From the July 18, 2012 complaint:

"In one of the discussions that we had he told me several times that I am a dead woman walking."⁷²

From the February 8, 2013 complaint:

"The children's fear is understandable since they have witnessed a fight that F. and I had where he beat me. This occurred in October 2012, immediately after the separation. He had come home, it was evening and he wanted to take the children out ... He grabbed me by the neck with both hands and dragged me from the entrance into the room and threw me onto the sofa, with his hands still tight around my neck and with such force that I was suffocating, so much so that I couldn't move or scream...Fortunately my mother was there and intervened, and in an attempt to free me tried to pull him off from behind. It was difficult because he is strong compared to my mom ... the children were present and I fear they could remain traumatized. In fact, they were very frightened, even the little one, who was two years old at the time, cried with fear along with his sisters... I am very afraid, because he has violent outbursts and has raised his hand against me many times. I live in terror that he could seriously hurt me..."⁷³

And again:

"Regarding the children I should specify that he has never beaten them but has no problem hurting me in front of them, it being understood that he still exerts disturbing psychological influences over them, such as when he harasses them with questions about my private life. He behaves in a domineering manner with them, always asking who comes into my home, if I go out, etc. And children handle this situation badly because they are immersed in adult affairs that they don't understand. One time he also said to the children that one day their life would change, because if another man were ever to come into his home, first he would kill me and then the other man. The children are very frightened and upset because of this."⁷⁴

The words of B. shed light on the intolerable situation of a woman – a mother – who has been mistreated, beaten and denigrated before her children – all of whom are in a serious state of emotional exhaustion – by her *mafioso* and extremely

⁷¹ Ivi, p. 4.

⁷² Ibidem.

⁷³ Ibidem.

⁷⁴ Ivi, p. 6.

negative ex-husband. Add to this the terror due to threats and vindictive retaliation against her current partner by the 'Ndrangheta culture where the situation occurred. Last but not least, there are the 2014 statements which the oldest child, then thirteen, made "with absolute tranquility and clarity", ⁷⁵ to the Juvenile District Attorney of Reggio Calabria:

"It is true that my father has raised his voice and beaten my mother out of jealousy, even in the presence of me and my brothers, saying everything... swearing and saying 'I'll kill you."⁷⁶

Giving further details:

"Me and my brothers all hate to hear and see what I mentioned above. Also, my little brother, who is only four years old, when he sees my father screaming and beating our mom he bursts into tears. Even after the separation my father has continued to fight with and insult my mother in front of me and my brothers."⁷⁷

And in conclusion:

"I prefer to remain living with my mother because my father is not able to take care of my brothers and can't be bothered with us...when I'm at my father's house, I often have to take care of my little brother by myself because my father goes out or is sleeping".⁷⁸

The fact that in 2014 a thirteen-year-old Calabrian girl, born into a mafia family, must be the mother to her four-year-old brother, in a foreshadowing of the destiny of resignation and violence awaiting her in a world of mafia, machismo and malevolence, is a reality that a State governed by the rule of law cannot accept and must not allow to happen.

From these few excerpts emerge elements sufficient to understand what led the Reggio Court to declare, "with a decree of urgency and *inaudita altera parte*",⁷⁹ F.'s parental rights revoked with respect to his three children, and sole custody given to the mother, to be relocated with them to a site secured by the State and outside of Calabria. It should be noted that despite the firmness of the Decree, meetings with the father and other family members are permitted, so long as they are organized and supervised, with all due precautions, by Special Protective

⁷⁵ Ivi, p. 9.

⁷⁶ Ibidem.

⁷⁷ Ivi, p. 9-10.

⁷⁸ Ivi, p. 10.

⁷⁹ Ivi, p. 11.

Services and by ROS, with a mandate to suspend these meetings in the event of injury. 80

6. Traumas

Among the innocent children followed by the Reggio magistrates, we see yet another example of family ties on which the 'Ndrangheta feeds: in this case twins born in 2007. The parents of the two children are both incarcerated, sentenced on October 29, 2013, for crimes of mafia association and extortion according to 416 bis: the Calabrian father was sentenced to sixteen years and eight months, the foreign-born mother remained under house arrest. The twins, after revocation of both parents' custodial rights, were co-entrusted to their paternal grandmother and to Social Services in the Municipality of Reggio Calabria. However, the foster grandmother was then arrested for the same crimes. For this reason it was necessary to take a subsequent step and co-entrust the children to a trustworthy pair of relatives without a criminal record and to the local Social Services, until the restrictive measures against the mother are withdrawn (decree issued on September 23, 2014). It should be noted that the Court has made arrangements to guarantee the children a certain amount of continuity, in that the co-fostering married couple can

have access and stay in the mother's home in order to assist her in caring for the children for the time necessary until her house arrest is no longer in effect.⁸¹

But since then the situation has worsened. The G.I.P. (Preliminary Investigating Judge) of the Court of Reggio Calabria had to intervene once again and, in a sentence on December 19, 2014, condemned the father

to eight years and two months in prison for four counts of aggravated extortion and an additional two years and ten months in prison for one count of receiving a stolen identity card for expatriation. With this same judgment, the mother – now free from house arrest – was condemned to a total of six years in prison for mafia association and aggravated extortion. More recently (on January 7, 2016), the G.I.P., by means of the Court of Reggio Calabria, condemned the father to eighteen years imprisonment, considered a continuation between the alleged criminal offense and the analogous one in Art. 416 bis c.p.,

⁸⁰ Ivi, p. 19-20.

⁸¹ Juvenile Court of Reggio Calabria, Decree n. 121/13 R.V.G., September 23, 2014, signed by Di Bella, pp. 1-8, p. 5.

already decided by the Appellate Court of Reggio Calabria with the sentence dated January 14, 2013.⁸²

All of these criminal proceedings highlight the destructive family environment and criminal backdrop of the twins' childhood. These excerpts display the sequence of events in a neutral and bureaucratic style. What they do not depict is the rough and difficult reality of their lives. These are children of a very young age, born not by choice into a forsaken place and family, and in the course of a few years they witness their father disappear, their mother under house arrest, they become accustomed to their grandmother and then watch her disappear, they get used to the new married couple, and still interact with Social Services, while around them everything continues to worsen. The deterioration of their family situation has already had a serious impact on the delicate psychological state of the two children, helpless spectators to the arrests and incarcerations of almost all their family members (parents, grandparents, uncles), and it casts a worrisome shadow over their future:

It is evident that the personal life choices of the father who, as has been definitively established, belongs to a dangerous faction of the 'Ndrangheta, have already caused material injury to the normal and sound personal development of his two minor children who, precisely because of the father's conduct, were forced to suffer irremediable traumas in the early years of their lives, i.e. in the phase in which a caring parental presence constitutes the essential foundation for healthy personal development. This injury to the children's emotional integrity has become self-perpetuating for a prolonged period, taking into account the length of the parents' sentences which prevent them from guiding their children during the delicate adolescent phase.⁸³

Moreover, with regard to their paternal role model, there is no doubt that

in adherence with the arguments adopted by the criminal court which suspend parental rights for the duration of the sentence, "conduct related to criminal association appears incompatible with the educational function that governs the powers and duties of parental responsibility." ⁸⁴

Resulting as a logical corollary is the official revocation of his parental rights by the Juvenile Court.

⁸² Juvenile Court of Reggio Calabria, Decree, n. 81/16 R.V.G., April 26, 2016, signed by Di Bella, pp. 1-11, p. 2.

⁸³ Ivi, p. 3.

⁸⁴ Ibidem.

And the mother? She deserves different considerations. She is foreign, without her own income, subordinate to her husband, restricted by the need to support her children. The criminal court diminished her prison sentence and, in line with the earlier decision – taking into account that she had demonstrated adequate care of her children – did not suspended her parental rights. The Juvenile Court of Reggio Calabria then reconfirmed the woman's path toward positive change.⁸⁵ Indeed, the mother asked the State for help seeking logistical, residential and job support:

"In Italy and in Reggio Calabria there is no member of the family I can trust. The Juvenile Court is the last resort for me and my children. I am willing to comply with all the requirements that the court requires and I ask to be put in contact immediately with Don Ciotti's Libera association."⁸⁶

In a painful deposition she told Di Bella of her concern for her children's future and the urgent need to remove them from the negative influences of their family environment:

> "Mr. President, I have come to you because I fear for the fate of my children who have a notorious surname, and I am afraid that in the future they might follow in the footsteps of their father and his family by ending up in prison. I would like my children to live a peaceful life, away from the harm and dangers that come along with their family environment... If my children remain in Calabria, their future is certainly compromised, as it was for my husband and his relatives. In fact, my husband was convicted for mafia membership, my brother-inlaw as well, and my father-in-law and mother-in-law for mafia-related crimes. I am very concerned about the fate of my children if I go to jail; in any case, I would like them to be sent away from Calabria and their paternal relatives while maintaining constant contact with me. If I were to go to jail, I would ask you not to entrust my children to their paternal relatives and, in particular, to my in-laws, who would not be able to assure them a peaceful and lawful upbringing, as demonstrated by their own fate and that of their children, all of whom ended up in prison or killed [one of her brothers-in-law], and are mentioned in the sentence as being part of the mafia." 87

Thanks to the intervention by the Juvenile Court of Reggio, the woman – awaiting final judgment by the Court of Cassation on her diminished prison sentence – now lives in a classified location, far from Calabria, having been admitted to the witness protection program along with her two children, who are co-entrusted to her and to the Social Services authorities in her new location.

⁸⁵ Ivi, p. 4.

⁸⁶ Ibidem.

⁸⁷ Ivi, p. 4-5.

The conditions and situations seen here are a concrete reality that cause serious emotional trauma in their victims, which result from family, environmental, and social upheavals and require, beyond the first necessary judicial intervention, diligent and constant supervision, assistance and psychological/neuropsychiatric support provided by an experienced network of professionals. This constitutes the primary motivation and the end goal of the project *Free to choose*, which from July 2017 has the endorsement of the central government.⁸⁸

The following pages, which provide an overview of a choir silenced forever, speak for themselves. They enable the reader to delve into the mafia subculture which permeates the world in which Di Bella and his colleagues operate.

⁸⁸ As for the Italian youth justice system, see Patrizia Meringolo, *Juvenile Justice System in Italy: Researches and interventions / Sistema de Justicia Juvenil en Italia: investigaciones e intervenciones*, 2012, available on line (<u>https://www.redalyc.org/pdf/647/64725418005.pdf</u>).