

INDEPENDENT DISCIPLINARY OFFICERS

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Independent Review Officer
Hon. Barbara S. Jones (Ret.)

Independent Investigations Officer
Robert D. Luskin, Esq.

July 8, 2021

Via Electronic Mail

Thomas Gesualdi
President
Building Material Teamsters, Local 282 IBT
2500 Marcus Ave.
Lake Success, NY 11042

Re: Angelo Leto Disciplinary Decision

Dear Mr. Gesualdi:

Enclosed please find the Independent Review Officer's Decision and Order in the above-referenced matter.

Sincerely,

Hon. Barbara S. Jones
Independent Review Officer

cc: Angelo Leto (Via First Class Mail)
Bradley Raymond, Esq.
Travis Mastroddi, Esq.
Daniel K. Healy, Esq.
David Kluck, Esq.

Enclosure

**IN RE: ANGELO LETO
IBT LOCAL 282**

DECISION AND ORDER

I. Background

On March 22, 2021, the Independent Investigations Officer (“IIO”) referred a proposed charge report against Angelo Leto (the “Charge Report”) to the Executive Board of Teamsters Local Union 282 recommending that two charges be filed against Mr. Leto. Charge One alleged that while a member of Local 282, Mr. Leto was an inducted member of the Colombo Organized Crime family and associated with members of Organized Crime in violation of IBT Constitution Article II, Section 2(a) and Article XIX, Section 7(b)(1), (2) and (9). Charge Two alleged that Mr. Leto obstructed, interfered and unreasonably failed to cooperate with the IIO by willfully and without justification failing to appear for a Sworn Examination in violation of Article XIX, Section 14(a) of the IBT Constitution.

On April 2, 2021, Local 282 adopted and filed the charges proposed by the IIO. Pursuant to Article XIX, Section 14 of the IBT Constitution and the Final Order, as well as past practice in Organized Crime matters, the charges were referred to the Independent Review Officer (“IRO”) for adjudication.

On April 26, 2021, the IRO served a notice on Mr. Leto to appear for a hearing, which was scheduled for May 19, 2021. The Notice of Hearing was sent to Mr. Leto’s home address by Certified Mail, return receipt requested, and also by First Class Mail. *See* Hearing Rule

E(2)(a). The return receipt indicated that Mr. Leto acknowledged receipt of the Notice of Hearing on April 28th. In addition, on May 18, 2021, counsel for Mr. Leto indicated that Mr. Leto would appear for the hearing.

On May 19, 2021, a hearing was held on the charges. Neither Mr. Leto nor his counsel appeared at the hearing. Additionally, there was no request by Mr. Leto to reschedule or otherwise adjourn the hearing. Based on the record that Mr. Leto was properly notified of the proceedings, the IRO conducted the hearing in Mr. Leto's absence. See Hearing Rule F ("The failure of a charged party...to attend a hearing shall constitute a waiver of the right to attend and the IRO may conduct the hearing in the absence of the charged party...").

At the hearing, the IIO submitted the Charge Report and the Charge Report's exhibits into evidence in support of the charges. See Hearing Transcript dated May 19, 2021.

II. Findings

Mr. Leto became a member of Local 282 on July 17, 2011, and remained a dues paying member through December 2020. *See* Exhibit 2. As part of the evidentiary record, the IIO submitted a sworn affidavit from FBI Special Agent Benjamin S. Sedam. *See* IIO Exhibit 4. Agent Sedam is assigned to a unit that investigates the Bonanno, Colombo and Genovese organized crime families. *Id.* Based on Agent Sedam's investigative work, he confirmed that Mr. Leto has been an inducted Member of the Colombo La Cosa Nostra Family since at least the 1990's and was ranked as a soldier in the Colombo family. *Id.* Special Agent Sedam also affirmed that as recently as 2010, Mr. Leto was in good standing with the Colombo Family. *Id.* News reports also indicated that Mr. Leto became a made member of the Colombo Family in

May 1991. *See Exhibit 11.* Accordingly, based on the information submitted by the IIO, I find that Charge One is supported by a preponderance of the reliable evidence and that Mr. Leto was a member of Organized Crime while also a member of Local 282 in violation of the IBT Constitution.

On January 15, 2021, the IIO sent a Notice of Sworn Examination to Mr. Leto in order to investigate his ties to Organized Crime. *See Exhibit 9.* Mr. Leto received the Notice at his home on January 18th. *See Exhibit 9.* The examination was scheduled for January 29, 2021. *See Exhibit 9.* On January 29, 2021, Mr. Leto failed to appear for the examination. Accordingly, I find that Charge Two is supported by a preponderance of the reliable evidence and that Mr. Leto failed to cooperate with an IIO investigation in violation of the IBT Constitution.

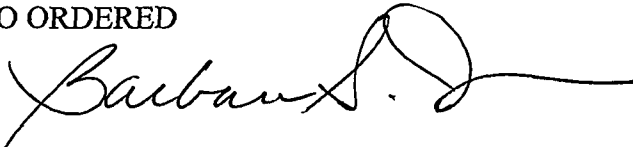
III. Sanction

In disciplinary matters where Teamster members were found to be associated with Organized Crime, it has been the IBT's long-standing position that the members should not, under any circumstances, be members of the Union. *See William Cioffi*, November 8, 2019; *See also Joseph Marra*, February 13, 2020. Accordingly:

1. Effective immediately, Angelo Leto is permanently expelled from membership in Local 282, the IBT and any affiliate of the IBT and is forever barred from holding any membership, employment, office, consulting position or other similar relationship, whether paid or unpaid, with Local 282, the IBT, any affiliate of the IBT, or any affiliated employee benefit plan;
2. Effective immediately, Angelo Leto is permanently barred from seeking or accepting money or other compensation for any goods or services from Local 282, the IBT, any affiliate of the IBT, or any affiliated employee benefit plan, other than the receipt of vested benefits to which he may be lawfully entitled by reason of participation in an employee benefit plan;

3. Effective immediately, Local 282 and any other IBT entities shall not make any contributions on Mr. Leto's behalf to any pension, health and welfare, severance or other benefit fund nor shall Mr. Leto receive any gratuities, severance payments or gifts of any kind whatsoever from Local 282 or any other IBT entities; and
4. Effective immediately, Mr. Leto is barred from participating in any manner in any of the activities or affairs of Local 282 or any other IBT entities, including, but not limited to, meetings, discussions, consultations, negotiations, votes, or any other business of Local 282 and IBT entities.

SO ORDERED

A handwritten signature in black ink, appearing to read "Barbara S. Jones", with a long horizontal flourish extending to the right.

Hon. Barbara S. Jones (Ret.)
Independent Review Officer