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Developer Baccari found not guilty in North Providence corruption scandal

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The Providence Journal / Sandor Bodo
Providence developer Richard P. Baccari smiles as he leaves U.S. District Court Thursday with family and members of his legal team after his acquittal in a North Providence bribery case.

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BY MARK REYNOLDS

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PROVIDENCE, R.I. — One of Rhode Island's most prolific builders, Richard P. Baccari, a well-known supermarket developer whose family-owned company controls a wide array of real estate holdings, was acquitted of bribing three North Providence councilmen Thursday in U.S. District Court, Providence.

A jury sitting before Judge John J. McConnell Jr. returned the not guilty verdict in favor of the 71-year-old chief executive officer of Providence-based Churchill & Banks following almost nine days of trial proceedings and deliberations.

The verdict comes almost six years after the FBI first began investigating Baccari's interactions with North Providence councilmen in late 2008 and early 2009 when he and his company proposed zoning changes that would allow them to build a

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supermarket on about six acres of land off Mineral Spring Avenue, near North Providence High School.

The jury of seven women and five men returned not guilty verdicts after a little more than a morning of deliberations on counts of conspiracy and bribery in the case.

The verdicts brought tears to Baccari's many family members and hugs between him and his lawyers, who were teary too.

"We're just obviously happy and we're very thankful for the jury," said Anthony M. Cardinale, the Boston lawyer who led Baccari's legal team, which included lawyers John Mitchell and Melissa Larsen

"We're glad that they came back so quick," Cardinale said, referring to the jury.

At trial, Cardinale did not contest that Baccari had paid money to the councilmen through the conspirators' middleman, a former North Providence solicitor, Robert S. Ciresi, who is already serving prison time for his role in the corruption scandal.

Cardinale instead argued that Baccari, who together with his wife recorded \$600,000 in losses after the collapse of the real estate market in 2009, was an extortion victim who had spent more than \$305,000 on the project and was vulnerable to the economic harm that the corrupt councilmen would inflict if he refused to pay the "jackals" \$50,000.

Cardinale also attacked the lynch-pin of the prosecution's case, statements made by then councilman John A. Zambarano, about his interactions with Baccari.

Zambarano's statements, which were recorded, described an October 2008 meeting at Churchill & Banks' Providence headquarters where Baccari asked Ciresi to leave the room and then told Zambarano that he would pay \$25,000 if the councilman delivered four favorable votes. Zambarano also talked about Baccari's unwillingness to pay the money before the council's vote on Feb. 10, 2009.

Cardinale, who called Zambarano a "pathological liar," pointed out some variations and inaccuracies in Zambarano's statements, and argued that in one recorded statement the councilman's coercion of Baccari was apparent when the conspirator talked about sitting in the developers office and him that the councilmen want their money.

Cardinale had also informed the jury that federal prosecutors have themselves attacked Zambarano's credibility in previous proceedings.

The prosecution, mounted by Assistant U.S. Attorney John McAdams and Assistant U.S. Attorney Terrence Donnelly, argued that Zambarano was a lot more credible when he was talking to conspirators.

They asserted that Zambarano's various accounts about receiving the money on Feb. 9 and distributing the cash were greatly corroborated by the observations of an FBI surveillance effort that tracked the councilmen that night. They pointed out that the money was delivered after the vote, asserting that the timing of the payment was dictated by Baccari.

Prosecutors, who introduced the \$3.4 million value of Baccari's Narragansett home as evidence, argued that the project did eventually fizzle, without much consequence for Baccari, who continued to drive his \$75,000 Bentley.

The jury did not agree with the prosecutors.

"Obviously they believed what we were telling them all along," Cardinale said.

Saying that he respects the jury's decision, U.S. Attorney Peter Neronha declared that the investigation of North Providence corruption has now ended with the Baccari case coming to a close, but his office will continue to prosecute corruption cases.

"We're no less convinced that we need to bring these kinds of cases," said Neronha who publicly thanked Donnelly, McAdams and FBI Special Agent James Pitcavage for their work on the North Providence corruption scandal.

Federal prosecutors will continue to work with the FBI on corruption cases and try to hold people who pay bribes just as accountable as officials who take bribes, he said.

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People who pay "bribes" to officials are just as responsible for corruption in Rhode Island as public officials who demand them, Neronha said.

Neronha said the only acceptable response when an official asks for a bribe is to go to authorities.

"When you pay, you are part of the problem," he said in a news release. "Most Rhode Islanders approached by corrupt politicians understand this. Until everyone does, it will be difficult for our State to move beyond its unfortunate reputation."

Cardinale reacted angrily when he learned about Neronha's comments and the news release, saying that Neronha's office had defamed his client by continuing to assert that Baccari's payments to the councilmen were corrupt, which was in contradiction with the jury's verdict.

"For him to make that statement is outrageous," Cardinale said. "It shows the vindictive nature of this prosecution, which we complained about from the very first day."

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Dave Russo · ★ Top Commenter · Salve Regina University

I have never met this man nor would I know him if I fell over him but it is amazing how little attention a ACQUITTAL has received in the media. If he had been found guilty, the jackals would have been all over him.

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Mr Baccari was extorted by councilmen who should rot in jail.

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