

False confession costs Broward \$2.7 million

By Tonya Alanez
South Florida Sun-Sentinel

June 16, 2007

The Broward Sheriff's Office has paid \$2.7 million in settlements and legal costs for a case in which three men were jailed for 16 months and two of them faced the death penalty for a murder they didn't commit, according to documents obtained by the *South Florida Sun-Sentinel*.

The long-standing false confession case had dragged on since 1993 and included two mistrials and testimony from a detective who said he put in a sock drawer at his home evidence that could have exonerated the accused killers.

It cost the agency more money to litigate the case than to pay the plaintiffs.

The Sheriff's Office arrested Carl Stephen Rosati, Peter Roussonicolos and Peter Dallas four years after the 1986 Deerfield Beach slaying of Joseph Viscido Jr. He died from a gunshot wound to the head in what detectives said was a cocaine deal gone bad.

The case rested on Dallas' false confession, which he has said was made amid pressure from detectives. He was the first to settle with the Sheriff's Office in October 2003, for \$225,000.

Rosati settled for \$1 million last September, and in April, Roussonicolos settled for \$89,000. A judge had ruled that the amounts would remain confidential until the third and final settlement was worked out.

The Sheriff's Office also paid \$1,411,427 in legal fees.

"It doesn't matter what amount of money they give you, you can't pick up the pieces," said Rosati, 47. "The anguish of being in there for a year and a half with the possibility of being electrocuted, it never, never leaves you. I have nightmares, I feel reclusive, and I'm mentally damaged forever."

The Sheriff's Office would have saved tens, if not hundreds, of thousands of dollars had it settled the case sooner, said Roussonicolos' attorney Doug Bates.

The settlements and legal costs will be paid out of one of three sources: the county's self-insurance fund, the Sheriff's Office insurance or the Sheriff's Office general fund, said Elliot Cohen, a spokesman for the Sheriff's Office.

All three men spent 16 months in jail awaiting trial, with the threat of the death penalty looming over Roussonicolos and Rosati. Dallas pleaded guilty to second-degree murder and had been set to testify against the other two men.

The trio won freedom in 1992 after a special prosecutor cleared them of the murder and arrested two others -- James Traina and Kerry Carbonell. Traina was convicted and is serving life in prison; Carbonell committed suicide in jail awaiting trial.

Rosati, Roussonicolos and Dallas filed a civil lawsuit in 1993 against the Sheriff's Office and former homicide detectives Steve Wiley, Dominick Gucciardo and Sgt. Thomas "Bill" Murray. Wiley and Gucciardo have since retired, and Murray is stationed in Deerfield Beach.



Vonage

There's no equipment to buy and I got to keep my phone number!

Get a **FREE** Router

TRY 1 MONTH FREE!

UNLIMITED
Local & Long Distance
only \$24⁹⁹/month

Roussonicolos' settlement package totaled \$100,000, said his attorney. In addition to the \$89,000 the Sheriff's Office forgave an \$11,000 debt Roussonicolos owed for time spent in jail on other charges, Bates said.

Roussonicolos is back behind bars for violating probation on a racketeering charge.

Copyright © 2007, South Florida Sun-Sentinel