

# The 1937 Murder Case That Influenced Governor Newsom's Death Penalty Moratorium

BY DAN MORAIN\*



Peter Pianezzi (RIGHT) and his lawyer Nathan Freedman.

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GOVERNOR GAVIN NEWSOM recently took a step back to an era of mob hits, a killer nicknamed Jimmy the Weasel, and a guy named Pete Pianezzi, dubbed the Bum Rap Kid.

“I was a young man learning that life story and . . . got to know Pete,” Newsom said in March 2019, as he announced the reprieves of 737 condemned inmates. “I also had the opportunity in that spirit to start thinking and reflect upon the death penalty.”

By the time young Newsom met Pianezzi, the “Kid” was an elderly denizen of North Beach in San Francisco, one with quite a backstory.

He had straightened himself out and worked his way up to become the *San Francisco Examiner's* circulation manager. But in the 1930s, Pianezzi was part of a crew that robbed banks in Los Angeles.

In October 1937, two gunmen walked into Roost Cafe in Los Angeles.<sup>1</sup> One shot and killed Les Bruneman, a former bootlegger who had run gambling operations in Redondo Beach. The triggerman killed a restaurant worker who had run outside apparently to get the hitmen's license plate.

Police arrested Pianezzi in December 1939, and he was tried and convicted of double homicide. He might

have landed on death row except a single juror held out on the death penalty. An L.A. newspaper came to believe that he was wrongly convicted and dubbed him the Bum Rap Kid. But he was sentenced to an indeterminate life term for the killings and for an unrelated bank robbery.<sup>2</sup>

He ended up serving a 13-year prison term, was paroled from Folsom Prison in 1953, and settled in San Francisco where he met Newsom's father, California Court of Appeal Justice William Newsom — who died in December 2018, shortly before his son was sworn in as governor.

“I always heard that he was framed,” Justice Newsom recalled in an oral history. “And so I worked on the case outside the court system, and I determined on my own that he had, in fact, been framed.”<sup>3</sup>

Justice Newsom's father (the governor's grandfather) similarly became convinced of Pianezzi's innocence of murder and had worked to get him paroled.

“I was no angel, Bill, but I never killed anybody in my life,” Justice Newsom recalled his friend saying. Meanwhile, two *San Diego Union* reporters, the late John Sandefer and his partner Carl Cannon, broke the story that Jimmy “The Weasel” Frantianno, a Mafia hitman who had flipped in 1977, told the FBI the real story of Bruneman's murder.

At the direction of L.A. mob boss Jack Dragna, a San Diego mobster named Frank “The Bomp” Bompensiero watched the door, while Leo “The Lips” Mocerri shot Bruneman eight times.

Realizing it was necessary to present the question to the Supreme Court, Newsom said he “persuaded the majority of the Supreme Court to . . . give[] permission to grant a pardon to Pianezzi.” And so, in 1981,



Justice William Newsom fought to exonerate Pete Pianezzi.

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Newsom turned to a friend, Quentin Kopp, then on the San Francisco Board of Supervisors and later a California state senator and Superior Court judge, to present Pianezzi's request for a pardon to then Gov. Jerry Brown.

"I don't remember him ever showing bitterness," Kopp said of Pianezzi. "He was just another one of the boys in North Beach."

Brown granted the pardon<sup>4</sup> in 1981, presenting Justice Newsom and Pianezzi with the certificate at North Beach Restaurant. Pianezzi was grateful, though he lamented that his wife didn't live long enough to see the day when he was fully cleared of murder.

"The guy got evidence that he is innocent," Jerry Brown told me recently. "Why wouldn't you pardon him? If you don't pardon him, you're doing an injustice."

*San Francisco Chronicle* columnist Herb Caen recorded Pianezzi's death in 1992 at age 90 with an item about the memorial at the Washington Square Bar & Grill, where Justice Newsom would be presiding over "bibulous ceremonies."

On March 13, Gov. Newsom gathered legislators and reporters on the second floor of the Capitol, and spoke in personal terms about his father and grandfather's quest to exonerate Pianezzi, and how people can be wrongly convicted.

"This is about who I am as a human being. This is about what I can or cannot do — to me this was the right thing to do," he said. ☆

#### ENDNOTES

1. Cecilia Rasmussen, "Rampart Site was a Noir Landmark," *Los Angeles Times*, Sept. 26, 1999, <https://www.latimes.com/archives/la-xpm-1999-sep-26-me-14440-story.html>.
2. *People v. Pianezzi* (1940) 42 Cal.2d 265.
3. Justice William Newsom, Video Interview Transcript, California Appellate Court Legacy Project, [https://www.courts.ca.gov/documents/Newsom\\_Jr\\_William\\_A\\_6048.pdf](https://www.courts.ca.gov/documents/Newsom_Jr_William_A_6048.pdf).
4. "Gov. Edmund G. Brown, Jr., Tuesday pardoned Peter Pianezzi," UPI, Oct. 27, 1981, <https://www.upi.com/Archives/1981/10/27/Gov-Edmund-G-Brown-Jr-Tuesday-pardoned-Peter-Pianezzi/9019373006800/>.