

2938

LAW OFFICES
JACK I. ZALKIND
AND ASSOCIATES

██████████
██████████
BOSTON, MASSACHUSETTS 02108

██████████
FACSIMILE: ██████████

August 14, 1989

OF COUNSEL
MELVIN FOSTER
ELLEN Y. SUNI

Mr. Chairman and
Members of the
Massachusetts Parole Board
27-43 Wormwood Street
South Boston, MA 02210

Re: Joseph Salvati

Dear Mr. Chairman and Members:

On March 12, 1979, I was asked to write a letter on behalf of the above-named, Joseph Salvati, who, I understand, is appearing before your Board for a sentence commutation. (See enclosed copy of letter marked Exhibit "1").

My feelings, as expressed in the aforementioned letter, have not changed. Indeed, I have become more firmly convinced that Mr. Salvati, if possible, should have his sentence commuted. It is my understanding that during the 22 years that he has been incarcerated, he has completed many many furloughs and has never once violated any of the terms and conditions of this program. I also feel that the time that Mr. Salvati has served for the crime of which he was convicted is, indeed, sufficient.

As I stated in my letter written in 1979, I would have recommended a plea to Second Degree Murder back in 1968 and, indeed, if this were the case, Mr. Salvati would have been eligible for parole seven (7) years ago.

I have had no personal relation with either Mr. Salvati or any of his relatives or friends. My feelings are based upon what I believe to be in the best interests of justice.

I, therefore, recommend to the Board that Mr. Salvati's Petition for Commutation be acted upon favorably.

Very truly yours,


Jack I. Zalkind

JIZ/lis

Encls.



2939

Frank L. Walsh

Roslindale, Massachusetts 02131

August 15, 1989

TO THE CHAIRMAN AND MEMBERS OF THE PAROLE BOARD:

At the request of Victor J. Garo, attorney for Joseph Salvati, I am submitting an update of my letter of March 15, 1979, regarding Joseph Salvati.

Since that time, I have received no further knowledge or information that would cause me to change the opinions expressed in that communication.

I sincerely believe, that Mr. Salvati is deserving of your consideration for commutation, and that justice will be served if he is returned to his family and community as a useful citizen.

Respectfully submitted,

Frank L. Walsh

Frank L. Walsh

Attached: Copy of letter dated March 15, 1979.



2940

ROSLINDALE, MASSACHUSETTS 02131

March 15, 1979

To Whom It May Concern:

I retired as a Sergeant Detective from the Boston Police Department after 32 years of service and currently am employed as manager of security for a large multi-purpose center, located in Boston.

While with the Department and during my assignment in the Organized Crime Unit, I was involved in the investigation, arrest, and prosecution of James Salvati, (and others) which resulted in the sentence he is now serving.

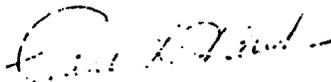
During my investigations prior to his indictment, subsequent sentencing and to this date, I have never become aware that Mr. Salvati has been even remotely connected with firearms or physical violence.

Over the recent past, I have maintained contact with the people in the North End, among them the family of Joe Salvati. It is because of these continuing contacts that my opinion is he has been thoroughly rehabilitated and bears no ill will against our prosecutive or corrective system.

My knowledge of the prisoner's background, and his family, convince me that he is deserving of the opportunity to rejoin his community and serve a useful life.

In my long personal involvement with law enforcement, I have written only two letters of this type recommending consideration for parole and both have been for Joseph Salvati.

Respectfully,



2941



NEW COURT HOUSE
TON, MASSACHUSETTS 02108
(617) 725-6800

The Commonwealth of Massachusetts
DISTRICT ATTORNEY OF SUFFOLK COUNTY
NEWMAN FLANAGAN

August 16, 1989

RECEIVED

AUG 18 1989

Honorable John J. Curran, Chairman
Massachusetts Parole Board
Advisory Board of Pardons
27-43 Wormwood Street
Boston, Massachusetts 02210-1606

MASSACHUSETTS
ADVISORY BOARD
OF PARDONS

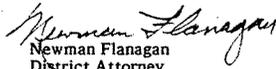
Re: Petition for Executive Clemency: Joseph SALVATI

Dear Mr. Curran,

With regard to the above-captioned petition for executive clemency, it remains the position of this office that any reduction of sentence would be entirely inappropriate. SALVATI was tried and convicted in 1968 in Suffolk Superior Court and sentenced to life imprisonment as an accessory before the fact in the brutal contract murder of Edward DEEGAN. Testimony at trial showed that SALVATI was involved in the planning stage of the murder and was in fact the individual who obtained the weapons which were used. Testimony also showed that SALVATI was at the scene just prior to the murder, seated in a car, acting as a "look out" and only fled the area when he was approached by a police officer.

Joseph SALVATI's direct and intimate involvement in this brutal gangland "murder-for-hire" must militate against any consideration for reduction of sentence in this case. Accordingly, it is my official recommendation and the position of my office that the petition of Joseph SALVATI be denied.

Respectfully,


Newman Flanagan
District Attorney
Suffolk County

NF/kr: 1376o



2942



The Commonwealth of Massachusetts

Advisory Board of Pardons

27-43 Winwood Street, Suite 300

Boston, Massachusetts 02210-1606

(617) 727-3271

In the matter of
JOSEPH SALVATI
Petitioner for Commutation
OPINION

YOUR EXCELLENCY

The Advisory Board of Pardons respectfully submits this report and recommendation concerning the commutation petition of Joseph Salvati. Mr. Salvati is serving a life sentence for murder in the first degree imposed on July 31, 1968 in Suffolk Superior Court.

The Board conducted a public hearing regarding this petition on August 21, 1989.

After due consideration, the Advisory Board of Pardons, by unanimous vote, recommends approval of this petition. The reasons for this recommendation are set forth below:



PR Newswire
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Wednesday, June 17, 1992

FORMER PATRIARCA BOSS SENTENCED TO AN EIGHT YEAR TERM

BOSTON, June 18 /PRNewswire/ -- The former Boss of the Patriarca Family of La Cosa Nostra was sentenced to an eight-year term of imprisonment today following his plea of guilty to charges of racketeering and violations of the Travel Act.

U.S. Attorney A. John Pappalardo announced that the Honorable Mark L. Wolf sentenced Raymond J. Patriarca to a 97- month term of incarceration followed by a three-year period of supervised release and a \$50,000 fine. In addition, Judge Wolf ordered that Patriarca pay for the costs of his imprisonment and supervised release which total in excess of \$125,000. In limiting the defendant's sentence to eight years, the Court rejected the government's requests to impose a harsher sentence. Pappalardo stated that the government was disappointed by the sentence imposed, noting that "the evidence presented to the Court would have fully supported the imposition of a substantially higher sentence." Pappalardo also observed, that with credit for time served and further reductions as a result of "good time," the defendant may be released in less than five years.

Patriarca headed the Family for over six years, becoming the Boss after the death of his father in 1984. Patriarca presided over a Mafia induction ceremony held in Medford, Mass. on Oct. 29, 1989. That induction ceremony was secretly tape recorded by the Federal Bureau of Investigation pursuant to court order.

Patriarca's co-defendants, Joseph Russo, Vincent Ferrara, Robert Carrozza, Dennis Lepore and Carmen Tortora, have been convicted and sentenced to terms of imprisonment ranging from 13 to 22 years. Co-defendant Pasquale G. Barone's case was severed from that of his co-defendants and he is awaiting trial. Co-defendant Angelo J. Mercurio is currently a fugitive.

The investigation was conducted by Special Agents of the Federal Bureau of Investigation and Detectives of the Boston Police Department, with assistance of the Massachusetts State Police. The case was prosecuted by Assistant U.S. Attorneys Jeffrey Auerhahn, Gregg L. Sullivan and James D. Herbert of the Organized Crime Strike Force Division of the U.S. Attorney's Office.

--- INDEX REFERENCES ---

NEWS SUBJECT: Law Enforcement (LEN)

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2944

3/26/91 TGMGZTWM A5
3/26/91 Telegram & Gazette (Worcester) A51991 WL 3559690

Page 2

Telegram & Gazette, Worcester, MA
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Tuesday, March 26, 1991

NEWS

Prosecutor defends Mafia-ceremony tape as evidence
AP

BOSTON (AP) - A federal prosecutor took the stand in U.S. District Court yesterday to save a tape recording of an alleged Mafia induction ceremony from being thrown out as evidence against purported mob leaders.

The tape, believed to be the first ever recorded of a mob induction ceremony, is the cornerstone in the racketeering case against reputed organized crime boss Raymond J. Patriarca and six other defendants.

The tape was secretly recorded in a clapboard house at 34 Guild St. in Medford, where four inductees took a blood oath to kill anyone who violated the organization's secrecy, federal authorities say. A ROVING BUG

The recording was made on Oct. 29, 1989, two days after the prosecutor, Diane M. Kottmyer, got authorization to bug virtually any place the purported Mafia leaders Joseph Russo, Vincent M. Ferrara and Robert F. Carrozza went, a so-called roving bug.

But defense attorneys contend Kottmyer acted in bad faith by withholding information about the induction ceremony when she sought the warrant from U.S. District Judge David S. Nelson.

U.S. District Court Judge Mark L. Wolf, who ordered the hearing on the tape, is mulling whether to suppress it as evidence. Wolf has said his decision may be based in part on "the government's motive for not making 'a full and complete statement' in the warrant application."

--- INDEX REFERENCES ---

NAMED PERSON: MAFIA; RAYMOND J. PATRIARCA; JOSEPH RUSSO; VINCENT M. FERRARA; ROBERT F. CARROZZA

KEY WORDS: MASS; NE; ORGANIZED CRIME; TRIALS; RECORDINGS; CRIME; RACKETEERING

AP Online
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Wednesday, July 29, 1998

Mobster Tells of Mob Induction Tip
ALISON FITZGERALD

BOSTON (AP) - A mobster and an FBI agent each testified Wednesday about the months leading up to a storied mafia induction ceremony that was caught on tape and used to prosecute dozens of alleged mobsters in New England and New York.

An attorney for one of 14 men accused of racketeering is trying to have the tape recordings excluded from his client's upcoming federal trial.

John LaChance, an attorney for accused mob capo Robert Carrozza, argued that the FBI misled a judge when they asked permission for a so-called roving wiretap.

The tape, known as 34 Guild St. for the location of the ceremony, was made after federal prosecutors obtained court permission for the wiretap. Normally, wiretaps are allowed by federal judges when no other alternatives, including informants, are available.

Angelo Mercurio testified Wednesday that he called the FBI hours after leaders of the New England mob took him on a ride in 1989 to show him where the latest mobsters would be "made."

Mercurio said he told FBI special agents John Connolly and James A. Ring that there would be an induction ceremony months before it happened, but at the time he didn't know when and where it would be.

"I told them four guys were going to be made. I gave them their names," said Mercurio, who is serving a 9-year, 2-month federal sentence for possessing 100 pounds of marijuana in Georgia, and for federal racketeering conspiracy, extortion, illegal gambling, obstruction of justice and loansharking convictions.

Mercurio asked his lawyer for advice before answering nearly every question, and refused to answer several questions by invoking his Fifth Amendment right against self-incrimination.

Mercurio said he tipped the FBI two weeks before the ceremony and again two days before it happened.

7/29/98 ASSOCPR (No Page)
7/29/98 Associated Press (Pg. Unavail. Online)1998 WL 6700964

Page 2

Ring, who was head of the FBI's organized crime unit in Boston at the time, testified that he needed the special wiretap warrant in case the ceremony was moved at the last moment.

Investigators had to convince a judge that they needed to bug several unspecified locations to get the information they needed.

LaChance argued the FBI had enough information to request approval for a bug in a specific location and that the agency wanted to get the induction ceremony at all costs because no one had ever captured such a ritual on tape before.

Ring said agents were most concerned with stopping the violence in a "shooting war" for control of the mob.

According to prosecutors, Carrozza was a capo in the Patriarca crime family who was trying to take over the family from Francis J. "Cadillac Frank" Salemme.

Carrozza and the others are accused of trying to kill 14 members of the Salemme branch of the New England mob, including Salemme, who was shot and injured in a Saugus pancake house in 1989.

The Carrozza hearings are expected to last into next week.

Word Count: 477

7/29/98 ASSOCPR (No Page)

END OF DOCUMENT

2947



JOHN J. CURRAN, JR.
Chairman
RUTH ANN JONES
Executive Director

The Commonwealth of Massachusetts

Executive Office of Human Services

Parole Board

*27-43 Westwood Street, Suite 300
Boston, Massachusetts 02210-1606*

November 30, 1989

Mr. James Ahearn
Special Agent in Charge
Federal Bureau of Investigation
J.F.K. Federal Building, Room 900
Boston, Massachusetts 02203

Attention: Mr. James Ring

RE: Joseph Salvati
Petitioner for
Commutation

Dear Mr. Ahearn:

The Massachusetts Parole Board, sitting in its capacity as the Advisory Board of Pardons, has pending before it a petition for commutation of Joseph Salvati who is serving a life sentence for the offense of Murder in the first degree. The Board has recently conducted a hearing on this matter and is considering its recommendation to be forwarded to the Governor on the merits of the petition.

An issue that was the subject of discussion during our hearing with Mr. Salvati was the nature of his relationship with Mr. Frank Creto. The Board was previously aware of contacts between the petitioner and Mr. Creto in 1986.

I am writing to request any information that you might have that would be relevant to the Board's consideration of this issue.

Thank you very much for any assistance that you might be able to provide us in this matter.

Sincerely,

John J. Curran, Jr.
Chairman

Massachusetts Parole Board

CC: Board Members



2948

DEC 01 '89 16:28

P.1



U.S. Department of Justice
Federal Bureau of Investigation

In Reply, Please Refer to
File No.

Mr. James F. Ahearn
Special Agent in Charge
Federal Bureau of Investigation
J.F.K. Building, Room 900
Boston, MA 02203

December 1, 1989

Mr. John J. Curran, Jr.
Chairman of the Board
Commonwealth of Massachusetts
27-43 Wormwood Street, Suite 300
Boston, MA 02210-1606

CONFIDENTIAL

Dear Mr. Curran:

In reference to your letter dated November 30, 1989 requesting information regarding contacts made in October, 1985 between Joseph Salvatti and Frank Oreto, the following information is set forth:

Mr. Salvatti was intercepted over telephone lines that were monitored by Agents of the FBI and Troopers of the Massachusetts State Police on federal court authorized wire taps on seven occasions during the September, 1985-January, 1986 time period.

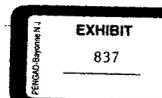
Mr. Salvatti's wife went over to meet Frank Oreto on November 9, 1985 after Mr. Salvatti's meeting with Mr. Oreto.

Based upon a review of all evidence in the Oreto case, the FBI is of the opinion that (A) Mr. Salvatti most likely had no ownership or management relationship with the Oreto Loanshark Operation; (B) Mr. Salvatti probably met with Mr. Oreto for the purpose of having his wife borrow some money from Mr. Oreto.

Sincerely,

James F. Ahearn/ja

JAMES F. AHEARN
Special Agent in Charge



COMMUTATION
EXECUTIVE CLEMENCY VOTE SHEET

NAME: Salvati, Joseph PETITION FOR EXECUTIVE CLEMENCY, CASE NUMBER (): _____

In consideration of the above matter, the Advisory Board of Pardons herewith records the vote of its membership, and thereby recommends/denies said petition for the reasons set forth below:

MEMBER: [REDACTED] VOTE: Approve DATE: 12/8/59

COMMENT: Executive clemency is appropriate given subject's overall excellent institutional record of the 22 years of service of sentence, relatively minor role in this offense, support of former prosecution on this case and other factors. Recommend support. Bd does not view subject as high risk. Would be recommended one year in state release prior to parole eligibility.

MEMBER: [REDACTED] VOTE: _____ DATE: _____

COMMENT: _____

Concur w/ Mr. Curran

MEMBER: [REDACTED] VOTE: Approve DATE: 12/8/59

COMMENT: _____

Concur w/ Mr. Curran

MEMBER: [REDACTED] VOTE: Approve DATE: 12/8/59

COMMENT: _____

Concur w/ Curran

EXHIBIT
838

MEMBER: [REDACTED] VOTE: *Approved* DATE: *12-18-88*
COMMENT: *Annual financial report*

MEMBER _____ VOTE _____ DATE _____
COMMENT: _____

MEMBER _____ VOTE _____ DATE _____
COMMENTS: _____

7/22/98 Boston Globe A1
1998 WL 9144510

The Boston Globe
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Wednesday, July 22, 1998

METRO/REGION

Cases disappear as FBI looks away
Shelly Murphy, Globe Staff

WED

This Spotlight Team 5-part series was prepared by editor Gerard O'Neill and reporters Dick Lehr, Michell Zuckoff, and Shelley Murphy. Today's installment was written by Murphy. PART 4 WHITEY & THE FBI: PRICE OF PROTECTION

At the dawn of his deal with the FBI, James "Whitey" **Bulger** was an angry leg breaker at a Dedham restaurant looking to collect an unpaid loan. Leaning across a table, he gave the owner a choice: Pay, or have his ears cut off and stuffed in his mouth.

Restaurateur Francis X. Green told his story to the FBI, expecting protection and prosecution. But **Bulger** had an ace in the hole. He worked for the FBI.

Looking back, the 1976 incident at the Back Side Restaurant was a turning point. An extortion case, built on a credible, cooperative witness, might have stopped **Bulger** and his partner, Stephen "The Rifleman" Flemmi, from launching a 15-year crime spree.

Instead, the FBI did nothing, sending a powerful message to two of the region's most ruthless organized crime figures: As long as you're with us, we won't bother you.

As a result, **Bulger** and Flemmi became sanctioned career criminals while spying on the underworld for the FBI. Despite solid evidence indicating **Bulger** and Flemmi were involved in murders, shakedowns, and drug dealing, the FBI looked the other way throughout the 1970s and 1980s.

It made no difference who the victims were, fellow wise guys or innocent people. And it didn't matter if the victims were willing to cooperate with the FBI or were scared silent. In some cases, the bureau even helped the gangsters by leaking information to them about ongoing investigations.

Recent court testimony shows the deflected cases ranged from the



momentous to the mundane, but the consistent thread running through most of them is the involvement of **Bulger's** handler, former FBI agent John Connolly of South Boston.

Some potential cases that went nowhere:

- In 1982, a wise guy turned FBI informant was gunned down after Connolly, according to testimony, told **Bulger** and Flemmi that the man had implicated them in a string of gangland slayings and the murder of an Oklahoma businessman.

- In 1984, a Boston police detective told Connolly that **Bulger** and Flemmi were trying to seize a liquor store owned by the detective's relatives with a "can't refuse" offer. But Connolly did not report the incident to superiors and, within days, **Bulger** sent word to the victims that he knew they had complained to the FBI and warned them to "back off."

- In the late 1980s, FBI agents John Newton and Roderick Kennedy failed to document or follow up on a realtor's claim that a gun-toting **Bulger** threatened to stuff him in a body bag if the realtor didn't pay him \$50,000.

- In 1988, another FBI agent, supervisor John Morris, who had pocketed \$7,000 in payoffs from **Bulger**, warned **Bulger** and Flemmi that the FBI had tapped the telephone of a Roxbury bookmaker who worked for them. While indictments resulted from the wiretap, including some Boston policemen for taking payoffs, **Bulger** and Flemmi went untouched.

Although there is evidence that Connolly protected **Bulger** and Flemmi, he was not alone. Supervisors and fellow agents often were swayed by his claim there was insufficient evidence to target the pair or that they were too valuable to the FBI.

For example, FBI agent James Blackburn testified he never pursued allegations that **Bulger** was shaking down a South Boston drug dealer in 1988 after Connolly told him it wasn't true. And agent James J. Lavin III testified that in 1987 he ignored evidence that city workers erected guardrails on private property outside the South Boston liquor store controlled by **Bulger** after Connolly reminded him that **Bulger** was an indispensable informant.

In the end, **Bulger** and Flemmi were always suspects, but never defendants; always informants, never targets.

Last April, Connolly refused to testify at federal court hearings exploring the FBI's controversial relationship with **Bulger** and Flemmi, citing his Fifth Amendment right not to incriminate himself.

In interviews, he has accused other agents of lying when they testified critically about his handling of **Bulger** and Flemmi.

"I'm not a rogue agent," Connolly said recently. "Anything I ever did, I did lawfully. I have no trouble with what I did. I did it for the FBI, all the way to D.C., constant oversight."

But the record now shows that the deal -- protection for information -- left the bureau shortchanged, co-opted, and compromised.

In a telling aside during recent testimony, one of Connolly's closest associates in the bureau, former agent Nicholas Gianturco, talked about entertaining **Bulger** and Flemmi at his Peabody home. "I felt comfortable having them to the house," he said. "It was not an adversarial relationship." ALL TOGETHER IN ONE ROOM

It was an improbable convergence of characters that put two of the region's top prosecutors under the same roof in Dedham with three gangsters while the hoodlums were extorting the owner of the establishment across the room.

In late 1976, then-Norfolk County District Attorney William Delahunt had just ordered dinner at the Back Side Restaurant and was awaiting the arrival of Martin Boudreau, a law school classmate and federal prosecutor, when he looked up to see another old acquaintance approaching his table.

It was Johnny Martorano, a well-known gangster who had attended grammar school with Delahunt in Quincy. Martorano and two other men had just entered the restaurant. While his companions moved to a cocktail table near the bar, Martorano chatted with Delahunt about the different paths they had taken since their school days, joking that there was more honor in his world than among bankers and lawyers. Flemmi joined the conversation briefly.

After Delahunt went back to his meal and was joined by Boudreau, the number-two prosecutor in the Federal Organized Crime Strike Force, the restaurant owner was summoned to sit with **Bulger**, Flemmi, and Martorano to talk about a serious arrearage of \$175,000. According to later investigative reports, it was **Bulger** who delivered the pay-or-die ultimatum.

A few weeks later, Delahunt learned what really had brought his old schoolmate to Dedham. Delahunt said Edward Harrington, former chief of the New England Organized Crime Strike Force, called to tell him that **Bulger** and his friends had threatened Green, the restaurant owner, over an unpaid loan. And he said Green feared Martorano had connections to Delahunt after seeing them banter that night.

After reassuring Harrington he had no ties to Martorano, Delahunt said prosecutors assigned to his office interviewed Green and later turned the case file over to the FBI. Green, who declined to be interviewed by the Globe, is quoted in investigative reports as saying **Bulger** and Flemmi threatened to kill him if he didn't repay a loan from a Boston credit union.

"It's our money," **Bulger** told Green, threatening to "positively kill him" and mutilate his face, according to an FBI report. Ears off, eyes out.

FBI agents Thomas Daly and Peter Kennedy interviewed Green on Oct. 13, 1977, and noted in their report that Flemmi told Green that nobody would get hurt if he made arrangements with the woman at the credit union who handled the loan. They wanted a \$25,000 installment immediately.

In a recent interview with the Globe, Rita Tobias of Belmont confirmed that she loaned Green money through the finance company -- but said the amount was closer to \$20,000. She insisted she doesn't know **Bulger** or Flemmi and hadn't gone to them for help.

The following year, Green became a star government witness, but not against **Bulger** or his friends. Federal prosecutors used Green's testimony in an unrelated public corruption case to win a tax-evasion and bribery conviction against a Boston official. **Bulger** and Flemmi went unpunished and unchallenged.

Months after turning the Green case over to the FBI, Delahunt, now a Massachusetts congressman, said he asked Jeremiah T. O'Sullivan, chief of the New England Organized Crime Strike Force, what became of the investigation and was told: "It just didn't work out." O'Sullivan's lawyer, Hugh Scott, declined comment on the incident, saying it would be inappropriate because of the ongoing federal hearings.

Harrington, now a federal judge, was working as a lawyer for a private law firm in Boston when Green reported his threatening encounter with **Bulger** and Flemmi in 1976. The following year, Harrington became US Attorney for Massachusetts, a job he held when his public corruption squad used Green to make a case against the Boston official.

Today, when asked about his role in the Green case and why it never led to charges against **Bulger** or Flemmi, Harrington said, "In view of the fact that I am a federal judge and wish not to be involved in a proceeding before another federal judge, I decline to comment on the matter." **BULGER IMPLICATED, MOBSTER KILLED**

Brian Halloran was a dead man. And the FBI knew it.

Just a few days before Halloran was gunned down along the Boston waterfront, an FBI official whispered to then-US Attorney William F. Weld, "I would not want to be standing next to this guy."

In fact, the FBI's decision to deny Halloran entry into its witness protection program may have cost Halloran his life.

Halloran was awaiting trial for the murder of a drug dealer in January 1982 when he walked into the FBI's Boston office and announced he wanted to cooperate against **Bulger** and Flemmi because he feared they were trying to kill him.

He offered to "go all the way" against the two, but wanted immunity from prosecution and protection for himself and his family, according to the FBI report. A member of the Winter Hill gang who had frequent dealings with **Bulger** and Flemmi, Halloran told a tale of murder and mayhem.

For openers, he described how he dropped off South Boston bookmaker Louis Litif at Triple O's tavern on April 12, 1980, for an after-hours meeting with **Bulger**. Moments later, Halloran said, he watched as **Bulger** and an associate lugged Litif's plastic-wrapped body out the back door of the South Boston bar and dumped it into the trunk of Litif's new Lincoln. The car and the body were later found in the South End.

Then Halloran moved on to another bloody murder scene, this one in Oklahoma. He claimed he could help solve the shooting death of millionaire Roger Wheeler, the Telex Corp. chairman who was shot to death on May 27, 1981, outside an exclusive Tulsa country club.

Wheeler had bought World Jai Alai (WJA) three years earlier and suspected Somerville's Winter Hill gang of skimming profits from the company's operation in Connecticut.

Halloran claimed that his friend, John Callahan, former president of WJA, summoned him to a meeting with **Bulger** and Flemmi in January 1981 at Callahan's Boston waterfront apartment.

Halloran said Callahan asked him to murder Wheeler, who suspected that employees who remained loyal to Callahan were doing the skimming. Later, Halloran said, Callahan told him he wasn't needed and the murder was carried out by **Bulger**, Flemmi, and John Martorano.

Despite the significance of Halloran's account, authorities in Oklahoma say the FBI in Boston never shared it with them.

Instead, FBI agent Morris said he passed along word to Connolly that Halloran was cooperating with another squad in the FBI against his two prized informants.

Morris testified that Connolly then told **Bulger** and Flemmi that Halloran had implicated them in Wheeler's murder, prompting Connolly to file an informant report from **Bulger** arguing that "there was no way that they would have been involved with Halloran in connection with anything, let alone murder."

Ultimately, the FBI, along with Strike Force Chief O'Sullivan, concluded that Halloran was unreliable and turned him away from an FBI safe house on Cape Cod.

Weeks later, on May 11, 1982, Halloran was gunned down as he left a bar on Northern Avenue in South Boston. Callahan, being sought for questioning as a potential witness in the Halloran and Wheeler slayings, was found murdered three months later in Miami.

In a recent interview, Connolly said he "absolutely never" told **Bulger** and Flemmi that Halloran had turned FBI informant against them before he was killed. Connolly said he filed reports before Halloran's death noting that **Bulger** claimed the Mafia was going to kill Halloran.

The fallout from the investigation spread within the FBI, as agents in Oklahoma City and Miami accused the Boston office of stonewalling about Wheeler and Halloran.

The distrust spilled over into the Boston office, as the agent assigned to the Wheeler case accused Connolly of "riffing" his file and leaking information to **Bulger** and Flemmi that would help them establish alibis. Connolly vehemently denies the charge.

At first, Connolly refused to call in **Bulger** and Flemmi to have them photographed so investigators in Oklahoma could show their pictures to potential witnesses. According to recent testimony by James Ring, who was then supervisor of the organized-crime squad, Connolly became "defensive" about the photo request, arguing that **Bulger** and Flemmi had proclaimed their innocence. Connolly relented only after Ring threatened to drop **Bulger** and Flemmi as informants.

Still, the FBI didn't force **Bulger** and Flemmi to take polygraph examinations after they refused. In contrast, Halloran was dropped as an informant when he refused to take the lie detector test.

"For a long time we thought, it's just pure incompetence," said Wheeler's son, David, who now believes the FBI has obstructed the

investigation into his father's murder. "But I never dreamed it was as extensive as it is." WHITEY AND STEVIE GO SHOPPING

It was Christmas time 1983 and Whitey **Bulger** and Stevie Flemmi were out shopping. They were cruising around South Boston when they saw something they wanted: a newly renovated liquor store on the site of what had until recently been an abandoned gas station.

It meant nothing to **Bulger** and Flemmi that Stephen and Julie Rakes didn't want to sell Stippo's Liquor Mart on Old Colony Avenue.

During a menacing visit to the Rakes's South Boston home during the first week of the new year, **Bulger** and Flemmi handed Stephen Rakes a bag stuffed with \$67,000 cash and announced they were buying the liquor store, according to testimony.

"We don't want to sell it," said Rakes, who was home with his two young daughters while his wife was working at the store.

Flemmi allegedly sat down at the kitchen table, pulled one of Rakes's blond-haired daughters onto his lap, and set a gun on the table in front of her. The curious toddler picked up the gun and playfully sucked on the handle, according to federal grand jury testimony revealed in court. "It would be a shame not to see your children grow up," **Bulger** allegedly said.

A horrified Rakes called his wife at the store and told her to pack up all their belongings and come home.

Within days, then-Boston Police Detective Joseph Lundbohm said he went to Connolly on behalf of his niece, Julie Rakes, unaware that **Bulger** and Flemmi were informants and Connolly was their handler.

Connolly said he took no action to stop the hostile takeover by **Bulger** and Flemmi because the couple "did not want to get wired up and they did not want to be witnesses. How do you make a case like that?"

It was a chilling lesson for the Rakeses, who discovered a few days later that **Bulger** knew they had complained to the FBI.

"Whitey said to back off," Stephen Rakes told Lundbohm, who said he suspected Connolly tipped **Bulger** about their meeting. In a Globe interview, Connolly denied leaking the information.

Connolly said he couldn't recall whether he reported the incident to his supervisor, but federal prosecutors said a search of FBI files

failed to uncover any paperwork on it. It appears Connolly made a unilateral decision to neither investigate the extortion nor pass it along to a supervisor.

The store was sold to **Bulger's** friend, Kevin Weeks -- at least on paper -- without a hitch and was renamed the South Boston Liquor Mart. It immediately became a new hangout for **Bulger** and Flemmi.

Soon, the FBI was patronizing **Bulger's** store. A 1990 raid of the Liquor Mart by the Drug Enforcement Administration, the Suffolk County Organized Crime Squad, and the IRS uncovered a receipt indicating the FBI bought liquor at discount prices to give away at its annual Christmas party months earlier.

The receipt indicated that the liquor was purchased by agent Dick Baker, the party organizer. And a separate piece of notebook paper indicated who the agent was: "Dick Baker (friend of John Connolly)." Connolly does not deny the FBI bought liquor at the store but says the piece of paper with his name on it was planted. NO FBI FOLLOWUP TO EXTORTION

Years after Louis Litif was allegedly murdered in Triple O's, **Bulger** and his friends summoned an unsuspecting businessman to a meeting in the Broadway tavern, according to court documents and recent testimony.

"Someone hired me to kill you," **Bulger** told South Boston realtor Raymond Slinger, after calling him to a meeting in an upstairs apartment in the late 1980s.

Bulger, accompanied by his friends Kevin Weeks and Kevin O'Neil, said he was willing to spare Slinger's life in exchange for cold cash. But, when Slinger had the audacity to arrive at a follow-up meeting with the trio packing a gun, he was beaten and kicked as an enraged **Bulger** ordered his friends to "go downstairs and get a body bag."

After **Bulger's** demand increased to \$50,000, Slinger reported the extortion to the FBI. Agent John Newton testified that the FBI had "a great case" against **Bulger** because Slinger was willing to wear a wire and testify.

Still, the FBI took no action.

Days later, O'Neil told Slinger that he'd only have to pay \$25,000, but "there wasn't going to be any FBI investigation," according to testimony in the federal court hearings.

Newton's supervisor, Bruce Ellavsky, testified that the FBI

dropped the case because the extortion stopped and Slinger no longer wanted to go forward.

Yet, Ellavsky couldn't explain why there were no FBI reports on the incident. There was no mystery about why **Bulger** and Flemmi never got caught up in an FBI investigation in the late 1980s of a Roxbury bookie who was paying them "rent" and dealing extensively with them. The pair were warned to stay away by agent John Morris because a wiretap was going into John Baharoian's office.

Morris, who had taken three bribes from **Bulger**, was concerned that the pair could give him up if they were caught and indicted.

But he also testified he was tired of the hold **Bulger** and Flemmi had on him and the relentless expansion of their criminal network. And he wanted no more blood on his hands. Leave Baharoian alone, the former organized-crime supervisor told them. "I don't want any more Hallorans."

--- INDEX REFERENCES ---

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METRO

INDICTMENTS AIMED AT MOB NET PATRIARCA, 20 OTHERS USE OF ELECTRONIC
SURVEILLANCE AIDS FEDERAL PROBES IN N.E. RACKETS CASE

Elizabeth Neuffer, Globe Staff

John Ellement of the Globe staff contributed to thi story.

In what federal authorities called an "unprecedented assault" on the leadership of the New England Mafia, federal authorities have indicted alleged Mafia boss Raymond J. (Junior) Patriarca and 20 reputed members of the Patriarca crime family in three states on charges including racketeering, illegal gambling, extortion, drug trafficking and murder.

The indictments, unsealed yesterday, effectively accuse almost all of the Patriarca crime family's reputed top leaders, charging alleged Patriarca underboss Nicholas L. Bianco, consigliere, or adviser, Joseph A. (J.R) Russo and four of the organization's six reputed lieutenants with a pattern of crimes that span the past 15 years.

Authorities said the indictments reveal for the first time the innermost workings of the Mafia, or La Cosa Nostra, through the successful electronic surveillance of a Patriarca family induction ceremony.

Attorney General Dick Thornburgh and FBI Director William Sessions, at a news conference in Boston yesterday, described the charges as the most sweeping attack ever launched on a single organized crime family.

"The case is important in that it represents a stake in the heart of a major organized crime family from the boss on down," Thornburgh told reporters yesterday. "It establishes beyond doubt the existence of a secret clandestine operation that takes itself very seriously in terms of the illegal operations it carries out." Also speaking at the news conference yesterday were the US attorneys for Rhode Island, Connecticut and Massachusetts.

Federal authorities said yesterday that the indictments resulted from five years worth of investigation that utilized federal undercover agents, electronic surveillance and cooperating witnesses.

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Thomas A. Hughes, the director of the FBI in Boston, said in a later interview that the successful use of electronic surveillance by federal agents to reveal the workings of a Patriarca crime family induction ceremony will forever discredit the crime family in the eyes of the Mafia.

"They have made a monumental mistake," said Hughes, adding that Patriarca and others should consider themselves "in mortal danger" from other Mafia members because of the secrets they had unwittingly exposed.

Hughes added: "There is no doubt that this is the most widespread bringing of charges against a La Cosa Nostra family in history."

Scores of federal agents swept across Rhode Island, Massachusetts and Connecticut in a series of early morning raids yesterday, arresting key leaders of the Patriarca crime family and a host of associates. All but six of the 21 named in the indictments are under arrest, authorities said.

Among those arrested and charged from Massachusetts and Rhode Island yesterday were Patriarca, alleged capo, or lieutenant, Biagio DiGiacomo, and reputed soldiers Carmen A. Tortora and Antonio L. (Spucky) Spagnola. All were ordered detained by federal magistrates in US District Court in Boston yesterday.

New charges were also brought against reputed Mafia capos Vincent M. (The Animal) Ferrara, Robert F. (Bobby Russo) Carrozza and Joseph Russo. Indicted on a 57-count indictment in November, all have been detained in federal custody until their trial.

Still being sought by federal authorities in Massachusetts yesterday were reputed Mafia soldier Angelo (Sonny) Mercurio, indicted in November 1989. Mafia associate Pasquale (Patsy) Barone is serving a state prison sentence.

Also charged in a Connecticut indictment yesterday were reputed Mafia underboss Bianco, and reputed capo Matthew L. Guglielmotti, as well as eight other Mafia soldiers. In Connecticut, federal authorities arrested reputed Mafia soldier Louis Failla, 62, of East Hartford, and reputed Mafia associate John E. Farrell, 52, of Manchester.

In total, there are 113 counts against the Patriarca crime family. They are contained in three indictments returned by federal grand juries last week and unsealed yesterday. Common to each indictment are the details of the induction ceremony.

According to the indictment, 17 members of the Patriarca family, including Patriarca and his top lieutenants, met in Medford to induct four new members. Those inducted received instructions concerning Mafia rules, and "agreed to kill individuals who would pose a threat to the organization."

Federal authorities have used the ceremony to establish that the Mafia is an "enterprise" and have then charged the defendants with committing various crimes through "a pattern of racketeering." Those elements are necessary to charge the men with the Racketeering Influenced and Corrupt Organizations Act, known as RICO.

Patriarca is charged in only one of the three indictments. The 65-count indictment also charges reputed Mafia consigliere, or adviser, Joseph Russo, reputed Mafia capos Ferrara, Carrozza, Dennis D. (Champagne) Lepore, alleged Mafia soldiers Tortora, and Mercurio and reputed Mafia associate Barone.

The indictment supersedes charges brought against Ferrara, Russo, Carrozza, Mercurio and Lepore in November 1989. In that indictment, they were accused of committing extortion, murder, robbery and narcotics trafficking through a pattern of racketeering. This indictment additionally accuses them of their role in the Mafia induction ceremony.

New to the indictment are the charges against Patriarca, Barone and Tortora. Patriarca is accused of crossing state lines to facilitate illegal gambling and the distribution of narcotics, and extortion from 1985 to 1989.

Tortora is accused of extorting money from debtors. In 1980, the indictment charges, Tortora threatened to split open the head of one debtor, Paul Alexander, or slit his throat if he failed to make weekly interest payment.

In addition to other charges, Barone is accused of three murders, including shooting and killing Vincent James Limoli Jr. in a drug dispute. According to the indictment, he told one man, Walter Jordan, that by committing murders he would "move up in the Mafia" with Ferrara.

The 152-page indictment also provides interesting insight into the structure of the Mafia and reveals how the family met periodically to arrange its distribution of power between Massachusetts and Rhode Island. In particular, the indictment indicates that the family regrouped to discuss its power structure

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in the wake of the 1989 assassination of underboss William Grasso.

The indictment also indicates the Patriarca crime family suffered from dissension between Massachusetts and Rhode Island.

As long ago as 1981, the organized crime family was holding meetings for the "purposes of receiving instructions concerning the line of authority and reporting with the Patriarca Family between Massachusetts and Rhode Island."

Those problems had not been resolved by 1989, the indictment indicates. Then, Connecticut Patriarca family members Louis R. Faiila and Gaetano J. Milano objected to the instructions that they were to take problems they had to reputed capo Matthew L. Guglielmetti, saying that they wanted to see the family's consigliere, Russo.

"Who in the . . . are they to tell us we can't go directly to Boston to see the Consigliere!" Faiilli is quoted in the indictment as saying.

At US District Court in Boston yesterday, both Patriarca and Tortora made an initial appearance before US Magistrate Lawrence P. Cohen.

Patriarca's attorney, John F. Cicilline, said in an interview outside the courtroom that Patriarca was suffering from cancer of the urinary tract and had to have period treatments "at a hospital in Massachusetts."

Tortora, speaking through his attorney, Alan Chapman, said he lives in Brockton, is married with two children and works in his wife's video rental store in Dorchester.

The second, 37-count indictment unsealed yesterday charges reputed Mafia capo DiGiacomo, and reputed soldiers Vincent C. (Dee Dee) Gioacchini, and Spagnola with crimes including racketeering, illegal gambling, extortion and the distribution of narcotics.

Authorities said the indictment sprang from a FBI investigation that stretched from 1983 to 1987. All three are charged with extorting thousands of dollars from debtors to whom they had extended credit. Spagnolo and Digiacomio are also accused of carrying out a stolen credit card scheme from 1986 to 1987.

According to the indictment, DiGiacomo in 1986 bragged about

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his illegal gambling businesses to Ferrara, saying "I got a hundred people working for me."

Further eroding the belief that the Mafia is not involved in drug trafficking, both DiGiacomo and Spagnolo are accused of conspiring to and distributing cocaine from 1985 to 1987. Spagnolo is also accused of conspiring to distribute marijuana.

At US District Court in Boston yesterday, Spagnolo and DiGiacomo both pleaded not guilty to the charges in front of US Magistrate Joyce London Alexander.

The third indictment, returned in Hartford, charges reputed underboss Nicholas Bianco, reputed capo Guglielmetti, and a host of soldiers and associates with crimes including racketeering, conspiracy to murder, loan-sharking, illegal gambling and wire fraud.

SIDEBAR A 'BAPTISM' COMPLETE WITH THE CUTTING OF TRIGGER FINGERS

Caption: PHOTO

Raymond (Junior) Patriarca is escorted into federal court in Boston before his arraignment.

GLOBE STAFF PHOTO / GEORGE RIZER

1. Law enforcement officers escort Antonio L. (Spucky) Spagnola into federal court in Boston yesterday.

2. Reputed Mafia capo Biagio DiGiacomo smiles before his court appearance yesterday.

3. Carmen A. Tortora is led to the courthouse.

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