

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CRIMINAL NO(s).31601, 32369, 32370

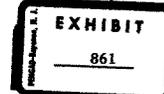
COMMONWEALTH }
v. }
LOUIS GRIECO }

AFFIDAVIT

I, James M. McDonough, depose and state:

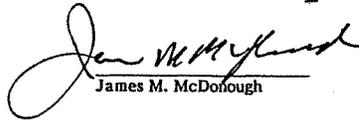
1. Since 1953 I have been an attorney in Massachusetts.
2. Between 1964 and 1979, I was a Legal Assistant in the Suffolk County District Attorney's Office.
3. During 1967 and 1968, I was assigned to assist the Assistant District Attorney (Jack Zalkind) in the prosecution of the defendant, Limone.
4. In such capacity I had access to police reports and in general all documents connected to the case that were in the files of the prosecutor.
5. I was aware of and saw a report that had been authored by a Lieutenant Thomas Evans of the Chelsea Police Department about the Deegan murder.

001045



6. I have read a copy of the foregoing report, that is presently in the prosecutor's file, and to the best of my memory and belief the copy of the report is the same copy that was in the prosecutor's file during prosecution of the defendant's case.

Signed under the pains and penalties of perjury,


James M. McDonough

Date: 10/2/93

001046

3021



55 Court Street
Third Floor
Boston, Massachusetts 02108

The Commonwealth of Massachusetts

DISTRICT ATTORNEY OF SUFFOLK COUNTY
RALPH C. MARTIN, II

October 27, 1993

Jack Zalkind, Esq.
Zalkind & Associates
15 Court Square
Boston, MA 02108

Re: Commonwealth v Salvati, et al.

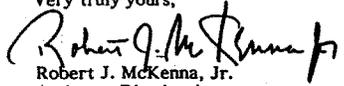
Dear Attorney Zalkind:

Please be advised that I have talked with Bob Gittens and Jack Cinquegrana about your October 20, 1993 letter in which you request a meeting to discuss the affidavit that you filed in the above-entitled case.

Because the case is before the Superior Court, amendments, supplements or withdrawals of affidavits should appropriately be filed with, and presented to the court rather than discussed ex parte. See in this regard Mass. R. Crim. P., Rule 30(c)(3) and the Reporters Notes.

For the foregoing reason, your request for a meeting must be respectfully declined. Should you desire to address the court about the issues raised in your letter, I believe that the case is assigned to, and presently before Judge Robert Banks, who is sitting in Room 914 of the Suffolk County Courthouse.

Very truly yours,


Robert J. McKenna, Jr.
Assistant District Attorney

RJM/bb:1322/76

xc: Honorable Robert Banks
Victor Garo, Esq.
Anthony Pelusi, Esq.
Oscar Wilde, Esq.
Robert Sheketoff, Esq.
John Cavicchi, Esq.



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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
DEPARTMENT OF TRIAL COURTS
CRIMINAL ACTION 32367-71

COMMONWEALTH OF MASSACHUSETTS

-vs-

MOTION HEARING

JOSEPH SALVATI, LOUIS GRECO, and
PETER LIMONE

TRANSCRIPT OF PROCEEDINGS

Before: BANKS, J.

APPEARANCES:

ROBERT MCKENNA, Esquire, Assistant District Attorney,
for the Commonwealth

VICTOR J. GARO, Esquire, and ANTHONY R. PELUSI, JR.,
Esquire, for Defendant Joseph Salvati

JOHN CAVICCHI, Esquire, for Defendant Louis Greco

ROBERT SHEKETTOFF, Esquire, for Defendant Peter Limone

December 1, 1993
Boston, Massachusetts

Mary M. Wrighton
Official Court Reporter

EXHIBIT
863

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1 My name is John Cavicchi. I represent Louis Greco.
2 I would direct the Court's attention to the other
3 police report by Richard Cass which is page 77 and --

4 THE COURT: I don't know what that --
5 I haven't digested this folder yet. I have looked
6 at your motion.

7 MR. CAVICCHI: That was another police
8 report that was attached to the Commonwealth's
9 opposition to my motion, Your Honor. In paragraph
10 twelve it says that unconfirmed information was received
11 that Romeo Martin and Ron Cassesso had entered the
12 building and were waiting just inside the rear
13 door. That was the position that Barboza had testified
14 that my client, Greco, was in, in the alley, waiting
15 for him. I would ask the Court, if the Court is
16 going to inquire as to the informant, possibly there
17 was another informant and I don't know what the basis
18 of this second police report is, but that was made
19 the night of the murder.

20 THE COURT: Who is Mr. Cass?

21 MR. CAVICCHI: He was the Detective Lieutenant
22 Inspector, Massachusetts State Police, and the report
23 is dated the night of the murder.

24 THE COURT: Is he available to you?

25 MR. CAVICCHI: I don't know the gentleman.

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1 THE COURT: I don't either.

2 MR. CAVICCHI: He is on the Commonwealth --

3 THE COURT: You are free to contact anyone.

4 MR. CAVICCHI: Well, it's already there.

5 I mean, his statement is already there.

6 THE COURT: I'm not going to go to the

7 police reports.

8 MR. CAVICCHI: Secondly, Your Honor, also

9 attached to the Commonwealth's opposition to

10 Mr. Greco's motion for new trial is an FBI report

11 dated 1970 where it quotes, where the person making

12 the report quotes Barron stating that he will take

13 a polygraph test that he was telling the truth at

14 the Deegan trial. Obviously, there are a number

15 of police -- a number of polygraph tests that show

16 my client not to be involved in this murder including

17 a Miami Police Department polygraph.

18 THE COURT: Well, a polygraph in Massachusetts

19 is worthless, as you know.

20 MR. CAVICCHI: I beg to differ with that,

21 Your Honor.

22 THE COURT: You do? I don't. Would you

23 like the case?

24 MR. CAVICCHI: I know it's been reversed

25 but, during the course of the appellate proceedings

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1 back and forth, sometimes the polygraph was admissible
2 and other times it was not.

3 THE COURT: Well, it is not admissible
4 today.

5 MR. CAVICCHI: I would, if the Court would
6 consider ordering the Commonwealth to turn over
7 Barron's polygraph test --

8 THE COURT: I'm not ordering any discovery.

9 MR. CAVICCHI: Well, then I was also going
10 to ask for the grand jury testimony also.

11 THE COURT: It's denied.

12 MR. CAVICCHI: Please note my exception.

13 MR. SHEKETOFF: Your Honor, can we make
14 a date for a hearing and then I can get to my federal
15 trial?

16 THE COURT: Sure. Is December 13 or 14
17 a good date for everyone?

18 MR. CAVICCHI: Yes, Your Honor.

19 MR. GARO: That's no problem.

20 THE COURT: How about the Commonwealth?

21 MR. MCKENNA: Either one is good for the
22 Commonwealth, Your Honor.

23 THE COURT: Okay. Is there anything the
24 Commonwealth would like to say here?

25 MR. MCKENNA: I have nothing to say today.

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	:	CRIMINAL NO. 99-10428 - <u>II</u>
	:	
v.	:	Racketeering
	:	(18 U.S.C. §1962(c))
JOHN J. CONNOLLY, JR. and	:	Racketeering Conspiracy
STEPHEN FLEMMI	:	(18 U.S.C. §1962(d))
	:	
	:	Conspiracy to Obstruct Justice
	:	(18 U.S.C. §371)
	:	
	:	Obstruction of Justice
	:	(18 U.S.C. §§1503, 1512)
	:	
	:	False Statement
	:	(18 U.S.C. §1001)

SUPERSEDING INDICTMENT

The Grand Jury charges:

COUNT ONE - Racketeering
(John J. Connolly, Jr.)

GENERAL ALLEGATIONS

1. From November 1968 to December 1990, the defendant JOHN J. CONNOLLY JR. ("CONNOLLY") was a Special Agent of the Federal Bureau of Investigation ("FBI"). From February 1973 until his retirement in December 1990, CONNOLLY was assigned to the Boston Field Office of the FBI.

2. At all times material to this Indictment, the "Winter Hill Gang" was a clandestine



Racketeering Act #11

67. On or about December 23, 1994, in the District of Massachusetts, CONNOLLY did corruptly influence, obstruct and impede, and did endeavor to influence, obstruct, and impede the due administration of justice in a federal Grand Jury in the District of Massachusetts by causing confidential law enforcement information to be provided to James Bulger which alerted him to the fact that law enforcement agents would soon attempt to arrest him in connection with the Grand Jury's investigation, in violation of Title 18, United States Code, Section 1503.

Racketeering Act 12

68. CONNOLLY committed the following acts, any one of which alone constitutes Racketeering Act 12:

Racketeering Act #12A

69. Beginning in or about December 23, 1994 and continuing until about early January 1995, the exact date being unknown, in the District of Massachusetts, CONNOLLY did corruptly influence, obstruct and impede, and did endeavor to influence, obstruct, and impede the due administration of justice in a federal Grand Jury in the District of Massachusetts by causing confidential law enforcement information to be provided to Flemmi which alerted him to the fact that the Grand Jury would be asked to issue an indictment against him, in violation of Title 18, United States Code, Section 1503.

Racketeering Act #12B

70. In or about early January 1995, the exact date being unknown, in the District of Massachusetts, Flemmi, aided and abetted by CONNOLLY, did corruptly influence, obstruct and impede, and did endeavor to influence, obstruct, and impede the due administration of justice in a

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA	:	CRIMINAL NO. 99-10428 - <u>II</u> <u>T</u>
	:	
v.	:	Racketeering
	:	(18 U.S.C. §1962(c))
JOHN J. CONNOLLY, JR. and	:	Racketeering Conspiracy
STEPHEN FLEMMI	:	(18 U.S.C. §1962(d))
	:	
	:	Conspiracy to Obstruct Justice
	:	(18 U.S.C. §371)
	:	
	:	Obstruction of Justice
	:	(18 U.S.C. §§1503, 1512)
	:	
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Racketeering Act #12B

70. In or about early January 1995, the exact date being unknown, in the District of Massachusetts, Flemmi, aided and abetted by CONNOLLY, did corruptly influence, obstruct and impede, and did endeavor to influence, obstruct, and impede the due administration of justice in a

federal Grand Jury in the District of Massachusetts by providing confidential law enforcement information to Francis P. Salemme which alerted him to the fact that the Grand Jury would be asked to issue an indictment against him, in violation of Title 18, United States Code, Sections 1503 and 2:

Racketeering Act #13

71. On or about March 27, 1997, during pretrial proceedings in United States v. Salemme et al., Cr. No. 94-10287-MLW (D. Mass.), CONNOLLY caused to be sent to United States District Judge Mark L. Wolf a letter falsely purporting to have been written by three unnamed members of the Boston Police Department.

72. That letter stated, in part, that "[t]he Massachusetts State Police, DEA and the FBI are ... guilty of prosecutorial misconduct in the so-called investigation of Frank Salemme, Whitey Bulger and Stevie Flemmi." The letter went on to state that Boston Police Detective Frank Dewan, the Massachusetts State Police, the DEA, the FBI and the Department of Justice Organized Crime Strike Force had furnished or relied upon false information in efforts to prosecute James Bulger and Stephen Flemmi. In specific reference to an issue directly before the Court at the time, the letter contended that: "You, Judge Wolf, were deliberately lied to by the Government when they testified under oath that they did not know a Mafia induction ceremony was going to take place at the time they applied for their wire." The letter implored Judge Wolf to "expose Dewan, [former FBI Special Agent John] Morris, and all the rest of the criminal element in those agencies who every bit as much tarnished their own badges!"

73. The defense attorneys in United States v. Salemme et al., Cr. No. 94-10287-MLW (D. Mass.) filed a brief regarding the letter and on April 18, 1997, Judge Wolf held a hearing

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1995 WL 5918607

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Wednesday, January 11, 1995

METRO/REGION

Mafia leaders still don't know when to shut up
Shelley Murphy, Globe Staff

They never learn.

Reputed New England Mafia boss Francis P. (Cadillac Frank) **Salemme** has provided prosecutors with what may be their most damning piece of evidence by talking incessantly while an FBI bug immortalized his every word.

"I'm the boss," **Salemme** told a Las Vegas wiseguy during a December 1991 rendezvous at the Logan Hilton, repeating the mistake made by countless mobsters before him who were felled by their own words.

But **Salemme**, 61, of Stoughton, did not stop after incriminating himself. He also implicated the elusive James J. (Whitey) Bulger and Stephen (The Rifleman) Flemmi, according to sources.

As gleeful FBI agents monitored his every word, **Salemme** fingered his underlings in the Patriarca crime family, then boasted to reputed Gambino family capo Natale (Big Chris) Richichi that he insulated himself by relying on "some good kids."

Salemme confided to the now-79-year-old Richichi, "I got that crew that's around, some kids from South Boston . . . Bulger and Flemmi."

A 37-count federal racketeering indictment handed up by a federal grand jury yesterday against **Salemme**, Bulger, Flemmi and others says **Salemme** and Richichi talked about "the structure and operation of the Patriarca Family in New England."

The FBI tape of **Salemme** and Richichi was described by one source as "the icing on the cake" for prosecutors who will try to convince a jury that **Salemme**, Bulger and Flemmi formed an unholy alliance three decades ago to control New England's rackets.

"It just lays out everything like you wouldn't believe," said the source.

This lack of discretion may be the first by **Salemme**, and bodes ill



for his efforts to stay out of prison. But **Salemme** is hardly the first alleged Mafioso to implicate himself, Bulger and Flemmi. It's a failing that appears to run in the family.

When the FBI bugged the North End headquarters of then-Boston mob boss Gennaro (Jerry) Angiulo in 1981, Angiulo was recorded saying, "Whitey's got the whole of Southie. Stevie is got the whole of the South End."

And one of Angiulo's capo regimes described the mob's relationship with Bulger and Flemmi.

"They're with us," Ilario Zannino, also known as Larry Baione, told an underling. "We're together. These are nice people. These are the kind of (expletive) people who straighten a thing out."

In fact, Zannino boasted, "If I called these guys right now, they'd kill anybody we tell them to."

Handing investigators enough evidence to convict him of racketeering in 1986 and send him to prison for 45 years, Angiulo boasted, "We're a shylock. We're a (expletive) bookmaker. We're selling marijuana . . . We're illegal here, illegal there. Arsonists! We're every (expletive) thing."

FBI bugs even captured Angiulo ordering a murder on tape, telling his soldiers to "stomp" and "kill" a Combat Zone bartender he suspected of ratting on his son. The plot was foiled when federal agents alerted the would-be victim.

In 1989, the New England Mafia broke the Mafia's long silence, or omerta, when it unwittingly baptized four members into the family at a Medford home that was bugged by the FBI.

"It's no hope, no Jesus, no Madonna, nobody can help us if we ever give up this secret to anybody, any kinds of friends of mine, let's say," said capo regime Biagio DiGiacomo as four new soldiers pricked their trigger fingers, burned holy cards, and swore to kill anyone who crossed the family. "This thing that cannot be exposed."

As he closed up the Guild Street house after the ceremony, mob soldier Vincent Ferrara was overheard by agents saying, "Only the (expletive) ghost knows what really took place over here today, by God."

But it was wishful thinking. The Mafia's innermost secrets were revealed. And now, investigators must be wondering why men like **Salemme** -- who allegedly rose to power in the wake of Mafiosi who blabbed their way into prison -- continue to talk.

During his rendezvous with Richichi, who is awaiting trial in

Florida on racketeering charges and in Las Vegas for trying to bribe a union official, **Salemme** implicated Flemmi in a 1968 bombing that injured a lawyer and landed **Salemme** in prison for 15 years.

Attorney John E. **Fitzgerald Jr.** was representing notorious Mafia hitman-turned-informant Joseph Barboza Baron when he started his car outside his Everett office Jan. 30, 1968, and a dynamite bomb exploded, tearing off part of his right leg.

Salemme remained a fugitive after his 1969 indictment for the attempted murder of **Fitzgerald**, until his December 1972 arrest by the FBI in New York City.

Flemmi was initially accused of plotting with **Salemme** to kill **Fitzgerald**, but the charges against him were dropped when a key government witness disappeared.

During the 1991 conversation at the Logan Hilton, **Salemme** told Richichi that he and Flemmi were on the lam together and that after he was caught, he took the "heat" while his longtime friend beat the rap, sources said.

The revelation appears to have helped prosecutors reopen the case against Flemmi. One of the racketeering charges in the indictment unsealed yesterday alleges that Flemmi and **Salemme** plotted and carried out the **Fitzgerald** bombing.

During their conversation, Richichi cautioned **Salemme** to treat his underlings with respect to keep their loyalty and prevent them from becoming "stool pigeons."

There were no warnings about the damage a mob boss can do to himself.

--- INDEX REFERENCES ---

EDITION: CITY EDITION

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The Boston Globe
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Sunday, January 29, 1995

METRO/REGION

IRA man tells a tale of betrayal
Kevin Cullen, Globe Staff

Special Report

Not long ago, Emily McIntyre visited her son's empty grave. She said it was the strangest thing. Eerie, really. The sunlight hit the small marker in such a way that it gave off a glow, an aura.

"I believe it was my John," she says softly. "He is restless."

It could be that John McIntyre's soul, wherever it is, is indeed restless. Ten years after he disappeared, presumably murdered to keep him quiet about an Irish Republican Army gunrunning operation in which he was an enthusiastic volunteer, no one has been made to account for John McIntyre. His body has never been found.

If those who killed McIntyre thought he gave up the mission, they were wrong. Because in an interview with The Boston Globe, the man who says he was the real informer, Sean O'Callaghan, explained how and why he turned on his comrades and exposed the biggest IRA gunrunning plot in US history.

The 1984 voyage of the Gloucester-based Valhalla was right out of a spy novel, with gangsters and revolutionaries trying to smuggle seven tons of weapons worth more than \$1 million while outwitting intelligence services and law enforcement agencies from three countries. O'Callaghan's account sheds new light on an affair that captivated imaginations on both sides of the Atlantic, as it left a grieving family on Boston's South Shore.

O'Callaghan is the highest-ranking member of the IRA to become an informer. He was also the most damaging. In the years that he passed information to the Irish police and, later, British authorities, he gave up more than the Valhalla.

O'Callaghan's information saved many lives, some of them obscure, some of them famous, such as Prince Charles and Princess Diana, who had been targeted for assassination by the IRA. But O'Callaghan also took lives, directly, in the case of at least three people he admits to killing, and indirectly, in the case of John McIntyre.



In an interview at the prison in Northern Ireland where he is held in isolation, O'Callaghan expressed remorse for the deaths he caused, including McIntyre's. He also provided a rare glimpse inside the world's most resilient revolutionary group, and the intrigue, the double-crossing and the ruthlessness that characterized the dirty war in Northern Ireland.

Today, the cease-fire in Northern Ireland is holding. Historic talks are taking place, aimed at ending one of the world's most intractable conflicts. John McIntyre, the idealistic Irish-American, and Sean O'Callaghan, the disillusioned Irish revolutionary, were born two years and 3,000 miles apart. They never met. But their lives are the legacy of a bitter conflict, one that touched and destroyed lives on both sides of the Atlantic.

There was nothing in his childhood or adolescence suggesting that some day John McIntyre would be standing on the deck of a fishing trawler loaded down with 91 rifles, eight submachine guns, 13 shotguns, 51 handguns, 11 bullet-proof vests and assorted hand grenades and rocket heads bound for the IRA.

His father was Irish-American, but not especially interested in his heritage. His mother was German-born. He grew up in the Squantum section of Quincy. He wanted to be an engineer, but in 1970, with the Vietnam War on, he stunned his parents by dropping out of Northeastern University and enlisting in the Army. Soon after, his superiors found marijuana in his locker. He was court-martialed and given three months in an Army prison camp. Just weeks before his sentence was to end, he escaped, but was recaptured in Colorado.

The war and his sentence ended and McIntyre was back in Boston, like other veterans, dazed and confused. In 1974, he tried Northeastern again, but dropped out after a month. He drove a cab, then dabbled in illegal fishing. Friends say he did not respect authority any longer.

In 1980, McIntyre started working at Walton's, a salvage company on the Chelsea waterfront. He began hanging out at Heller's, a Chelsea bar that was a front for Mafia money laundering. And he started meeting the type of people who would lead him to be standing on the deck of the Valhalla.

Principal among them was Joe Murray, who, besides his legitimate job as a compositor at the Boston Globe, was a gangster. Murray also styled himself a "freedom fighter," telling some people he was a member of the IRA. If this was true, the IRA would have been duty-bound to execute him for his involvement with drugs. Police say Murray was an American criminal who fancied himself an Irish patriot.

McIntyre started drinking at the Celtic Tavern, Murray's den in Charlestown. There he met young men from Belfast. Some of them were IRA men on the run. They found refuge in working-class Irish-American enclaves like Charlestown, where walls are daubed with IRA graffiti. They told stories of British soldiers busting down doors, of cops harassing kids. Emily McIntyre remembers that her son was suddenly preoccupied with his ancestry, convinced that Catholics in Northern Ireland had been abandoned, and that he had to get involved.

Federal agents say Murray enlisted John McIntyre as one of the grunts who off-loaded the marijuana Murray smuggled along the Boston waterfront. Eventually, Murray asked him to be part of a crew that would run \$1 million in guns to the IRA. McIntyre considered it an honor. At 32, he had finally found a cause.

McIntyre's friends and family insist that he understood the IRA's aversion to drugs and would not engage in marijuana smuggling and gun smuggling simultaneously. That, they say, is what led him to eventually cooperate with authorities. They say McIntyre felt betrayed when he learned that an ancillary part of the gunrunning mission was Murray's smuggling of 36 tons of marijuana on a freighter called the Ramsland.

Gary Crossen, the federal prosecutor who led the Valhalla investigation, scoffs at suggestions that McIntyre was so noble. He says McIntyre had engaged in petty and not so petty criminal activity for years. He suggests that McIntyre was naive about Northern Ireland, but not about how Murray and his associates made their money.

"It is true to say he was the most idealistic among them, but that's not saying much," said Crossen.

Everyone agrees that when the Valhalla set sail Sept. 14, 1984, John McIntyre knew little about the Irish side of the plot. All he knew was that somebody big in the IRA was waiting on the other side of the Atlantic. He could not have known that that somebody, Sean O'Callaghan, had betrayed them all.

Maghaberry Prison sits, mirage-like, in the middle of the rolling farmland of County Down. And it is there that 40-year-old Sean O'Callaghan sits, in a place built to reward those who swear off allegiance to the paramilitary groups of Northern Ireland. While hundreds have transferred to Maghaberry in search of more privileges and early parole, few have done what O'Callaghan has. Rather than just swear off the IRA, O'Callaghan conspired against it. He compromised operations and got dozens of IRA men put in prison.

1/29/95 BOSTONG 1
1/29/95 Boston Globe 11995 WL 5919073

Page 5

It is a fact of life in Northern Ireland that most touts, as the Irish call informers, end up dead. That explains why O'Callaghan is one of only two men being held in a separate facility for touts. Sitting in a visitor's room, O'Callaghan says he was able to deflect attention from who gave up the Valhalla because he was in charge of the IRA's inquiry.

"You had the fox guarding the chickens," he says.

In the early 1970s, O'Callaghan was a dedicated IRA man. He admits to having killed an army reservist and a police officer before he became disillusioned with the IRA. In 1979, he sought out the Garda Siochana, Ireland's national police force, and offered his services. Garda sources say he was a valued mole.

After the 1981 hunger strikes gave the IRA its most favorable international publicity ever, and before massive arms shipments from Libyan leader Moammar Khadafy arrived, the IRA needed more weapons to step up its war with the British. In 1984, Boston-based IRA sympathizers led by Joe Murray and Pat Nee, an Irish-born, South Boston-based gangster, offered to help.

O'Callaghan says the idea of accepting guns from American gangsters led to a divisive debate within the IRA, which was sensitive to claims that its members were in it for the money, not the cause. "The IRA wanted the weapons, but they didn't want the bad publicity if anything went wrong," he says.

Murray and Nee were part of a criminal organization allegedly headed by James (Whitey) Bulger, who was charged with racketeering this month and is now a fugitive. Bulger is said to be sympathetic to the IRA. Sources familiar with a bugging operation by federal agents at a Quincy apartment where Bulger lived at the time say Bulger indicated inside knowledge of the Valhalla in a conversation that was prompted by a TV newscast about the seizure of the weapons by the Irish navy.

"That's our stuff," a man who agents believe was Bulger said upon hearing news of the seizure. Bulger, however, was never charged in connection with the Valhalla, even though authorities believe he was involved in helping to finance it, or at least sanctioned the involvement of his underlings.

O'Callaghan says overall responsibility for the shipment fell to Ivor Bell, an IRA leader. Wary of dealing with non-IRA members, Bell had two men from Boston held in Dublin, ostensibly as hostages, while the guns crossed the ocean, according to O'Callaghan. He says he never learned their identities, but was told they were released even though the weapons were seized.

Shortly before the Valhalla was to rendezvous with an Irish trawler, Marita Ann, O'Callaghan told his police handler about the shipment. O'Callaghan says he had no reservations. "No American has any right to send guns to my country, whether for financial gain or for some spurious political reasons," he says.

After meeting on the open sea, the Valhalla and Marita Ann went their separate ways. The Irish navy intercepted the Marita Ann two miles off the Irish coast and arrested the five crew members. The Valhalla returned to Boston unimpeded, and US Customs officials launched their own investigation, eventually arresting Nee, Murray and the Valhalla's captain.

Emily McIntyre said Customs agents hounded her son to get him to turn in his friends. She said they openly tailed him, and were parked outside her home the last night she saw her son, Nov. 30, 1984. Rumors that McIntyre was talking were rampant.

Federal agents say the last person they saw with McIntyre was Nee. His attorney, Kenneth Fishman, says Nee had nothing to do with McIntyre's disappearance.

The IRA suspected immediately that the leak was in Ireland, not Boston, O'Callaghan says, which is why the two Boston men were released unharmed. Speculation about who gave up the mission was intense. In March 1985, the body of an IRA associate, Sean Corcoran, was found in Kerry. Without elaboration, the IRA said Corcoran had been executed for informing. Some assumed Corcoran gave up the Valhalla. But O'Callaghan says Corcoran's undoing came when an IRA man asked Corcoran to cover for him at work while he carried out a robbery. Corcoran tipped off police, who captured the IRA unit. Suspicion fell immediately on Corcoran. The IRA abducted him and he confessed.

O'Callaghan claims he suggested the IRA hold a news conference and have Corcoran tell his story to embarrass the police and their methods of recruiting informers. But he says his superior, reputed IRA chief of staff Kevin McKenna, dismissed the idea, saying simply, "Kill him."

O'Callaghan says that on his way back to the farm where Corcoran was being interrogated he called police, giving the location of the hayshed where Corcoran was tied up. Irish police refuse to discuss that allegation. Eventually, it came down to O'Callaghan and Corcoran in the shed. O'Callaghan briefly flirted with the idea of untying him, telling him to run off. But he said that would have amounted to his own death sentence.

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"I took the mask off him," he said. "It was just the most pathetic sight. To the very end, I was hoping the Gards would come through the door, just take Corcoran and his wife away somewhere, give them a new life, a new identity."

Instead, O'Callaghan says, convinced there was no other way, he walked over and shot Corcoran in the head.

In 1986, McIntyre's family filed a wrongful death suit, claiming the US government negligently allowed him to be killed, presumably by the IRA or its agents. But three years later, the family's then-lawyer, John Loftus, coauthored a book with McIntyre's mother claiming McIntyre was assassinated by British intelligence agents to deflect attention from their real mole in the IRA. Loftus also claims someone in the IRA told him that the IRA executed a man whom it suspected had compromised the Valhalla. In an interview, Loftus said the man executed was Corcoran. Loftus' claims have not been corroborated, and have been called ludicrous by authorities in the United States, Ireland and Britain. O'Callaghan's statements to The Globe cast further doubt on Loftus' allegations.

O'Callaghan says that when the Valhalla sailed, he had cooperated only with Irish authorities. It was only later that his Irish handlers turned him over to their British counterparts. "The Brits wouldn't have killed anyone to protect me," he says. "I wasn't working for them."

Irish police sources corroborate O'Callaghan's account, saying he did not begin working as an informant for MI5, the British intelligence service, until 1986.

Besides, says O'Callaghan, even if British agents had killed McIntyre, the IRA would have eventually figured out through its own intelligence network that neither the IRA nor McIntyre's American associates were involved in his abduction.

Although she has had a falling out with Loftus, Emily McIntyre continues to subscribe to the conspiracy theory that her son was murdered by British spies. She says she does not believe O'Callaghan, and has spurned his offer of condolences.

"He is a double agent. They are the worst," she says.

In 1987, Murray and Nee pleaded guilty to arms smuggling. Murray admitted to smuggling marijuana, too. In 1992, shortly after he got out of prison, Murray was shot to death by his wife at their summer home in Maine. Suzanne Murray, who was not charged, said her husband

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came at her with a knife. Nee's freedom was short lived, too. He was arrested in 1991 with four other men, including a former IRA man, and charged with trying to rob an armored car in Abington. The Valhalla itself was sold off. It has been renamed and returned to fishing.

Officially, US customs officials still consider John McIntyre a fugitive. Jerry Padalino, special agent in charge of US Customs, says: "We have no proof that he is dead."

Neither does Emily McIntyre, although every fiber of her being believes he is.

She thinks her son should be officially listed as one of the more than 3,100 who have been killed since 1969 in Ireland's Troubles. In the meantime, no one from any government, no one from the IRA, none of her son's shadowy associates, has bothered to give her an explanation. She considered traveling to Ireland, to meet with O'Callaghan, thinking it might help. But she shakes her head.

"I could never sit down with that man. I couldn't believe a word he says. He is why my John . . ." Her voice trails off. Tears well up in her eyes, and for a long time she cannot speak.

Across the ocean, Sean O'Callaghan talks of getting out some day, ironically as part of an amnesty for paramilitary members, considered crucial if peace is to hold in Northern Ireland. He says he became a double agent for the rush. It gave him the high he lost when he stopped believing in the cause.

But now he thinks he deluded himself.

"When it was just me and Corcoran in that shed, and I knew I had to kill him, I told myself, 'Ah, well, think of all the lives you've saved.' But that's bull . . . I look back now and I say, 'Why did Sean Corcoran have to die? Why did John McIntyre have to die?' It was stupid. It was all so stupid."

TABULAR OR GRAPHIC MATERIAL SET FORTH IN THIS DOCUMENT IS NOT DISPLAYABLE

PHOTO:
CAPTION:1. Irish Republican Army sympathizer John McIntyre is thought to have been murdered.(COLOR)
2. SEAN O'CALLAGHAN

(H)

AFFIDAVIT

I, John Emmanuel Cavicchi, being duly sworn, depose and state as follows:

1. I am a member of the Massachusetts Bar, having been admitted in December, 1973.
2. Since 1977, I have been the attorney for Louis Greco, convicted of murder and sentenced to death solely on the basis of the testimony of Joseph Barboza-Baron, an accomplice in the murder, whose testimony was uncorroborated.
3. Subsequent to the denial of the defendant Greco and others of their new trial motion on January 11, 1994, I learned through a Boston Globe Article, dated February 17, 1994, Dan Rea's Mission Impossible, that "Lead Counsel" Joseph Balliro represented Barboza-Baron and one Flemmi. Flemmi was one of those named in the informant's statement as being involved in the Deegan murder.
4. The article reports:
"Since he had at one time represented both Barboza and Flemmi, Balliro said that he could not violate lawyer-client privilege." Page 72
5. When I began my investigation into this case, one of those from whom I obtained an affidavit was Richard Barest, Esq., a former Judge and State of Florida prosecuting attorney, who represented Greco when he surrendered to prosecuting authorities. Mr. Barest's affidavit, together with the Miami Police Department Polygraph report is in the possession of the Clerk of Court and is a part of the record of this case.
6. On December 21, 1977, in addition to his affidavit,



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Mr. Barest told me that he pleaded with the Massachusetts lawyers to let him fight the extradition from Florida of Greco, but stated that they were more interested in reading Time Magazine than listening to what he had to say. He specifically mentioned "Joe Bellino" but I knew him to mean Mr. Balliro.

7. Shortly thereafter, I returned to Massachusetts and asked Mr. Balliro for the Florida investigation of Greco. He told me that it had been shredded.

8. In October or November, 1994, I visited Greco at the Bay State Correctional Center. He stated that Mr. Balliro told him to waive his extradition hearing.

Subscribed and sworn to under the pains and penalties of perjury, this 11 July, 1995.

John Emmanuel Caucich