

Boston: The Bulger trial exposes criminal operations of FBI

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The conviction of mob boss James “Whitey” Bulger last week in Boston came as revelations of the illegal spying operations of the National Security Agency (NSA), following the leak of documents by whistle-blower Edward Snowden, were continuing to unfold. The more than two-month-long trial highlighted not only the widespread corruption of law enforcement at the local and federal level, but the criminal actions of agents of the Federal Bureau of Investigation (FBI) who, together with elected officials, colluded with gangster elements.

Bulger, the notorious Boston gangster and FBI informant, was convicted August 12 on charges of racketeering and 11 of 19 murder charges. The trial, which began June 4, heard testimony from 72 witnesses, many of them notorious gangsters and FBI informants, and reviewed 840 exhibits. Sentencing is set for November 13.

Many shocking details of the career of the 83-year-old Bulger have been well publicized over the years. Relations between Bulger and the FBI have been documented in several books, including one by former mob enforcer Kevin Weeks, who served only five years in prison after pleading guilty to aiding and abetting Bulger in five murders.

Weeks was one of several prosecution witnesses who had benefited from plea deals in return for testimony against Bulger. Also testifying was hit man John Martorano, who served only 12 years for killing 20 people. Bulger’s partner in crime Stephen Flemmi, who is serving a life sentence for 10 murders after a plea deal saved him from the death penalty, also testified for the prosecution.

Flemmi spoke of the collusion of the FBI in murders carried out by him and Bulger. The late FBI agent H. Paul Rico gave Flemmi information so he and others could kill George McLaughlin, member of a rival gang. Flemmi described his and Bulger’s relationship with FBI agent

John Connolly as a “partnership” and told the jury how Connolly had told them that Revere nightclub owner Richard Castucci was informing on them. Castucci was murdered by the Bulger gang.

Bulger claims that his relationship with the FBI was one in which information was passed to him, not received from him. In his opening statement, Bulger defense attorney J.W. Carney said, “The evidence will show that Bulger is a person who had an unbelievably lucrative criminal enterprise in Boston. He was making millions and millions of dollars. He had people on the local police, the state police, and especially federal law enforcement on his payroll.”

Carney pointed out to the jury, “During the period of time covered throughout this indictment, from 1972 to approximately 1995, James Bulger was never once charged with anything by a federal prosecutor in this town. Not once, not anything.”

After initially saying he would testify, Bulger refused, claiming the proceedings were “unfair and a sham” because the court would not recognize the immunity he claimed to have been promised by federal agents. Following the verdict, Carney told reporters, “James Bulger intends to take an appeal,” arguing that he should have been allowed to claim he had immunity for his crimes.

Whatever the truth of Bulger’s claim to having been promised immunity, he was protected by local, state and federal law enforcement agencies over many years, up to and including his escape from Boston 16 years ago. Bulger fled following a tip-off from disgraced FBI agent John Connolly that investigators were closing in on him. There is every reason to believe that he was protected by the FBI over the 16 years that he evaded capture.

The FBI’s Connolly, who grew up in the Old Harbor Housing Project in South Boston with Bulger, was the FBI handler for Bulger and Flemmi. In that capacity, he

had shielded the two from prosecution and fed them information to evade security forces. Connolly was indicted in 1999 on charges of having alerted Bulger and Flemmi to investigations, falsifying FBI reports to cover their crimes and accepting bribes. In 2000, he was charged with racketeering-related offenses and was sentenced in 2002 to 10 years in federal prison. In 2009, Connolly was sentenced to 40 years in prison for second-degree murder for his role in the 1982 killing of a witness who was about to testify against Bulger and Flemmi.

While Connolly was the only FBI agent convicted for his association with the Bulger gang, the entrenched criminality at the federal agency did not stop with him. John Morris was head of the FBI's Boston organized crime squad in the late 1970s and early 1980s. He supervised Connolly and oversaw the cultivation of Bulger and Flemmi as informants.

Morris was granted immunity in exchange for testimony during federal court hearings in 1998. Morris admitted that he had alerted Flemmi and Bulger to an investigation targeting bookmakers in 1988 and had asked a federal prosecutor to keep them out of a 1979 indictment for fixing horse races. He also admitted that he told Connolly about an informant who had implicated Bulger and Flemmi in a murder, fully expecting the information to get back to Bulger. The informant, Edward "Brian" Halloran, was subsequently killed. Morris also accepted \$7,000 in payoffs from Bulger. He retired from the FBI in 1995. Morris appeared as the star witness for the prosecution.

The first defense witness in the trial was former FBI agent Robert Fitzpatrick. Fitzpatrick was an assistant in charge in Boston from January 1981 to late 1986. In 2011, he published a book titled *Betrayal* about his time in the Boston office of the FBI. He has testified at many hearings related to Bulger over the years, but was not called as a witness for the prosecution at the recent trial.

Fitzpatrick testified that he was sent to Boston in 1981 because "there was a territorial dispute up in Boston that involved state police, local police, and the FBI." After asking John Morris to take him to meet Bulger, Fitzpatrick said he got the impression that Bulger was controlling the relationship with Morris and Connolly. He wrote a two-page report recommending that Bulger be "closed" as an informant. His recommendation was reportedly ignored.

Fitzpatrick described his role in supervising the cooperation of Brian Holloran in 1982. When agents Morris and Connolly learned that among the information

Halloran had passed along was that Whitey Bulger was an FBI informant, they leaked this information to Bulger.

"There were rumblings in the street about Halloran, that he was talking to the FBI," said Fitzpatrick. "We received concrete information that he may be killed.... We knew we had to get him into the witness-protection program. He was in harm's way," Fitzpatrick testified.

Fitzpatrick applied to Jeremiah O'Sullivan, head of the Federal Organized Crime Strike Force, a division of the US Attorney's office, to get Halloran into the witness-protection program. O'Sullivan, who had already been co-opted by Morris and Connolly, said Holloran was not worth protecting and the request was denied.

Fitzpatrick went over O'Sullivan's head and contacted William Weld, then US Attorney for the District of Massachusetts and later governor. Weld had political relations with Sen. William (Billy) Bulger, Whitey's younger brother, who was president of the state Senate. Weld rejected Halloran as a candidate for the witness program. In 2003, William Bulger was removed from his position as president of the University of Massachusetts after it became known he had accepted a call from his fugitive brother from a secretly arranged location, without informing authorities.

The collusion of the FBI in a rash of crimes, including murder, is being presented in the media as something in the past, the result of a few bad apples. The *Boston Globe*, for example, said the verdict "files a piece of Boston's dingy past, and the FBI's complicity in it, on the shelves of the city's sometimes sordid history."

Far from being a thing of the past, abuses and outright criminality by the FBI and other security agencies continue. On May 22, in what amounted to an extrajudicial execution, a Boston-based FBI agent shot and killed unarmed 27-year-old Ibragim Todashev in his Florida home. Todashev, a Chechen immigrant, was being interrogated in connection with the Boston Marathon bombings.

No one has been charged in Todashev's execution-style killing, and the name of the FBI agent who shot him has not even been released. The FBI has blocked the release of an autopsy of the young man, and Florida authorities have rejected calls for an independent state investigation.



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