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Sections

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Has mob infiltrat

By Nicholas Gage

ON THE EVENING of last Feb. 10, Frank "Bomb" Bompensiero, 71, the beefy, balding consigliere of the Mafia family that covers southern California, left his San Diego apartment and headed toward a public phone booth two blocks away.

In his pocket he carried a notebook filled with coded loan-shark balance sheets and coded phone numbers of other public phones across the country through which he spoke regularly with fellow Mafiosi.

AS BOMPENSIERO passed an alley near his home, a faint sound came from the darkness and a 22 caliber bullet entered his neck near the spine. Immedi-

ately, another bullet pierced his right ear and two more opened a large hole in his skull behind the ear. No one heard shots.

The killing of Bompensiero sent off ripples that have grown until they threaten to rock the whole structure of the Federal Bureau of Investigation. Frank Bompensiero was not only an influential Mafiosi. He also was the FBI's most highly placed underworld informant.

FOR ALMOST 12 years, he had been reporting to the bureau on Mafia activities. Bompensiero's death was only the latest and most damaging in a series of 23 murders that have wiped out a nationwide group of FBI informants and

potential government witnesses in the last two years.

Executioners are roaming the country armed with 22 caliber weapons, murdering underworld figures whose testimony could damage the mob.

How did the underworld finger the informants? The FBI is turning itself inside out trying to answer that question, and the outcome ultimately could tarnish its legendary reputation for incorruptibility.

The FBI's top brass has been so disturbed by the killings that it has revamped the bureau's procedures for handling underworld informants. They have been forced, for the first time, to think the unthinkable: The Mafia may have succeeded in infiltrating the FBI.

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ed the FBI?

In 1924, when J. Edgar Hoover, then only 29, took over as director of the investigative arm of the Justice Department, then known as the Bureau of Investigation, its reputation was not good.

ACCORDING TO A historian, Alpheus T. Mason, the bureau "had become a private secret service for corrupt forces within the government."

Hoover attacked the internal corruption with the zeal of a Bible Belt evangelist, cutting-out the bad wood along with any suspected radicals and "moral degenerates" until the agents who were left, as one FBI veteran remembers it, were "whiter than white."

Hoover was a master publicist for the bureau, making "G-men" and the "10

Most Wanted" list household words in the 1930s.

He cannily made sure that cases such as the Lindbergh kidnaping, the pursuit of John Dillinger, the capture of spies during World War II, and the postwar campaign against Communists all added luster to the FBI's image.

From the beginning of his career as director, Hoover successfully fought against having the bureau handle narcotics investigations because he knew that the vast sums of money earned by drug traffickers could easily encourage corruption among agents.

IT IS BELIEVED that fear of internal corruption also was a reason Hoover

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refused for so long to admit the existence of organized crime.

He insisted there was no such thing as the Mafia until he was forced to change his position by the public testimony of Joseph Valachi, the Mafioso-turned-informant, in 1962, and the insistence of Atty. Gen. Robert F. Kennedy that the bureau go after mobsters.

Hoover feared, according to bureau insiders, that the huge financial resources of organized crime might be too much for some FBI agents to resist.

Once pressured into taking on organized crime, however, Hoover poured his all energy into it. He discouraged his men from going under cover to infiltrate criminal groups, because he feared that the practice might breed sympathy for the agent's quarry, but he had always promoted the recruitment of informants from inside groups under investigation.

WHILE SUCH "snitches" quickly numbered in the hundreds and ultimately have grown to include several thousand, the most valuable informants were about 15 full-fledged Mafia members, including Frank Bompensiero who, as a consigliere, was the highest ranking.



J. Edgar Hoover. Robert Kennedy

office kept central records of its confidential informants, including their name and code numbers and payments received, and those records were generally under the control of a Grade 3 or 4 clerk who usually had less than five years' experience with the bureau.

Furthermore, each office could obtain records of informants in other cities.

In those days, the records of all the informants in the country were kept at FBI headquarters in Washington and could be examined by any official in the bureau willing to sign for them.

WORST OF ALL a list giving the names of informants, with their code numbers, was kept by the accounting unit that processed the informants' payments. This unit was composed of inexperienced clerks, not former field agents like other headquarters units.

The entire method of handling informants has been revised since the flurry

Like many other informants, Bompensiero "turned" in order to avoid jail. In 1966, he and an underworld associate named James "The Weasel" Fratianno were arrested and charged with conspiring to cheat employes of a construction company owned by Fratianno on their full wages.

The two were indicted both by the State of California and the federal government and faced long prison terms if convicted. Bompensiero, 60, was shaken at the prospect of another long prison term [he already had served three].

An enterprising FBI agent, Jack Armstrong, anticipated Bompensiero's feelings and recognized a chance to bag a valuable pigeon. He promised Bompensiero he would let him out of both the state and federal charges if he would "cooperate" with the bureau. Bompensiero agreed.

ALTHOUGH FBI agents showed great initiative and efficiency in "turning" such informants as Bompensiero, the bureau's methods of identifying and paying these informants were remarkably careless.

Each informant was given a code number that was used in reports instead of the informant's name, but each field

of the 22 caliber killings.

There is no longer a central listing of all informants in field offices or in Washington. Files list an informant only by his code number, not his name. In the field offices, the files on informants, with only their code numbers, are kept in a locked cabinet under the control of a senior clerk who must verify an agent's "need to know" before signing a file out to the agent. No one but an informant's "control" agent, knows the informant's real name.

THESE NEW procedures have come too late for the 23 informants and witnesses who have been killed. The many potential leaks in the old system of record-keeping make it difficult for the FBI agents investigating the murders to find out how the Mafia learned their identities.

Mafiosi may have surmised the identity of some informants indirectly by studying the cases that have been made against their members, or the identities of informants may also have leaked out because these informants were sometimes "loaned" to lawmen in other agencies.

FBI reports containing intelligence from informants have been shared even beyond law enforcement circles—with congressional committees, for example—and some are obtainable legally by

Mafiosi through the Freedom of Information Act.

YET THE MOST explosive theory the FBI group investigating the informant murders is pursuing centers on the possibility that the Mafia may have infiltrated the bureau itself by corrupting one of its secretaries, clerks, or even agents.

In fact, there has been one documented instance of an FBI clerk stealing documents, including a list of informants, for a Mafia figure.

In 1975, Irene Kuczynski, then 22, of Bayonne, N.J., testified that when she worked as a clerk-typist for the FBI in Newark from 1970 to 1972, she had stuffed photo-copied documents dealing with the investigation of John DiGilio into her purse and girdle and delivered them to her husband, who then sold them to DiGilio.

Among the documents were names of Mafia informants.

At the time, DiGilio was a contender for the top position in the New Jersey crime family of Joseph Zicarelli, who was serving a prison sentence.

TWO POTENTIAL witnesses against DiGilio [who has been convicted but is still free as a result of a series of appeals] are among the victims killed recently with 22 caliber pistols.

Ballistics tests proved these two men, Vincent Capone, shot in Hoboken last year, and Frank Chin, murdered in New York on Jan. 20, were killed with the same 22 caliber weapon.

Mrs. Kuczynski was the first FBI employe to be convicted of a felony since 1924.

This is a remarkable record, which no other law enforcement agency can equal. But there are indications that it might not be so pristine if the FBI investigated charges of corruption within the agency with the same energy it expends on its "10 Most Wanted" list. Although the corruption of Mrs. Kuczynski was exposed, she was only a clerk-typist, and not an agent on whose integrity the reputation of the agency rests.

"If any questions were raised about agents, the bureau didn't probe too hard for answers," said a former agent now with another law enforcement group. "The agents were transferred, retired, or forced to resign, and the reputation of the bureau was preserved."

BUT IN AUTHORIZING the agents investigating the 22 caliber murders to consider the possibility of Mafia infiltration into the bureau, FBI officials are laying aside their traditional reluctance to take on any problem that might embarrass the agency.

The group of agents looking into the killings are being directed by Edward Sharp, the head of the organized crime section in the FBI's headquarters in Washington.

The group has a crucial task because the effectiveness of the FBI in fighting organized crime is largely dependent on its results. The bureau cannot leave



AP Wirephoto

Frank Bompensiero, head of the Mafia in southern California, wearing handcuffs after being arrested on a minor charge in 1966. Bompensiero was shot to death in San Diego last Feb. 10 with a 22 caliber handgun.

unexplained the discovery and murder of some of its most important informants and witnesses, and hope for much cooperation from others in the underworld.

If the goal of the 22 caliber killers has been to cut down the number of individuals willing to talk to the bureau, they have succeeded dramatically. Not only are more than 20 informants and wit-

nesses dead, those still alive have been badly frightened.

According to bureau sources, nearly half of the paid informants controlled by agents in the New York field office have, since the death of Frank Bompensiero, concentrated on the 22 caliber killings, simply "dried up," and are no longer providing information to the FBI.

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Paid killers have a pet pistol: the silenced .22

THE 22-CALIBER revolver fitted with a silencer appears to be the weapon of an increasing number of paid assassins, according to Joseph DiLeonardi of the Chicago Police Department.

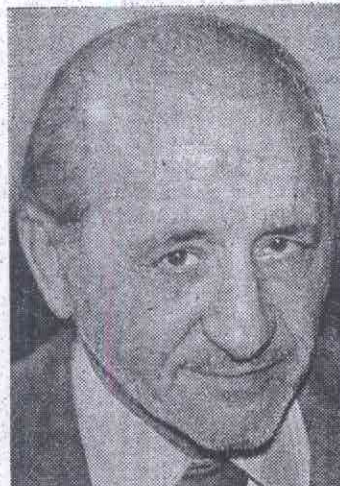
"It is small and can be concealed and drawn with ease. But its use is risky, unless it is fired repeatedly and at close range," according to the citywide homicide commander.

But as popular as it may seem among mob triggermen elsewhere, the 22-caliber handgun is not the gun of choice for Chicago gangsters.

OF THE 30-ODD crime-syndicate-related murders here in recent years involving guns, only two were committed with .22s, and only then because the killer got next to his unsuspecting victim before pulling the trigger, police say.

The exceptions: Rackets boss Sam Giancana and porno movie operator Paul Gonsky. Each died of six bullets fired from a .22 automatic inches away and probably by someone each felt no reason to fear.

The other murders were committed with much heavier weapons, mostly



Sam Giancana

12-gauge shotguns and 45-caliber automatics—weapons described by DiLeonardi as mainstays of the syndicate's arsenal.

John O'Brien