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By Nicholas Gage

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On the evening of last Feb. 10, Frank (Bomb) Bompensiero, 71 years old, the beefy, balding consigliere of the Mafia family that covers Southern California, left his San Diego apartment and headed toward a public telephone booth two blocks away. In his pocket he carried a notebook filled with coded loan-shark balance sheets and coded telephone 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 bullet entered his neck near the spine. Immediately another bullet pierced his right ear and two more opened up a large hole in his skull behind the ear. No one heard shots.

When Bompensiero's body was discovered his coded notebook was missing, but his wallet was intact. Police found that the bullets had come from a .22 caliber automatic pistol — probably a High Standard Magnum — a weapon developed by the predecessor of the CIA during World War II because it lent itself well to being used with a silencer. It is a weapon that has long been popular with lawmen but has rarely been used by underworld executioners.

The killing of Bompensiero, like a pebble dropped into a pond, immediately began to send off ripples that have grown until they now threaten to rock the whole structure of the Federal Bureau of Investigation. For Frank Bompensiero was not only an influential Mafiosi; he was also the FBI's most highly placed underworld informer.

For almost 12 years he had been reporting to the Bureau on Mafia activities. And the gunning down of Bompensiero 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.

An executioner or a group of executioners is roaming the country armed with .22's, murdering underworld figures whose testimony could damage the mob. But how did the underworld finger the informants? The FBI is currently turning itself inside out trying to answer that question, and the outcome could ultimately tarnish its legendary

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reputation for incorruptibility.

The FBI top brass have been so disturbed by the rash of killings that they have completely revamped the Bureau's procedures for handling underworld informants, and they have been forced for the first time to think the unthinkable: The Mafia may have succeeded in infiltrating the Federal Bureau of Investigation.

In 1924, when J. Edgar Hoover, only 29, took over as director of the investigative arm of the Justice Department, then known as the Bureau of Investigation, its reputation was as shaky as the New York Police Department's following the Knapp Commission hearings. According to one historian, Alpheus T. Mason, the Bureau "had become a private secret service for corrupt forces within the Government."

Hoover proceeded to attack 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."

Women were not allowed to smoke on the job; a clerk was once dismissed for playing with a Yo-yo in the halls; agents were reprimanded for reading girlie magazines.

Any activity of an agent that might "embarrass the bureau" was instantly brought to Hoover's personal attention, and in one celebrated case in the '60s an agent was dismissed for entertaining his girlfriend in his apartment overnight.

Hoover was throughout his lifetime a master publicist for the Bureau, making "G-men" and the "10 Most Wanted" list household words during the 1930s.

He made sure that such cases 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 in the public's eyes.

From the beginning of his tenure 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.

Many observers feel that fear of internal corruption was also a reason Hoover refused for so long to concede 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



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Killing Mafia Informants

Valachi, the Mafioso turned informant, in 1962, and the insistence of Attorney General Robert Kennedy that the bureau go after mobsters.

Hoover worried, 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 full energy into it. He discouraged his men from going undercover in order 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.

Gangsters generally agreed to talk either because they held a grudge against some member of their criminal group or because they faced a prison sentence and wanted to bargain for their freedom. The quality of the informants varied from petty hoods on the make to highly placed Mafiosi.

While such "snitches" quickly numbered in the hundreds and ultimately have grown to include several thousand individuals, the most valuable informants were about 15 "made" (fully initiated) Mafia members including Frank Bompensiero who, as a consigliere, was the highest ranking.

Like many other informants, Bompensiero "turned" in order to avoid going to 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 of their full wages. The two men were indicted both

by the State of California and the Federal Government, and faced lengthy prison terms if convicted. Bompensiero, by then 60 years old, was shaken at the prospect of another long prison term (he had already served three).

An enterprising FBI agent with the appropriate name of Jack Armstrong anticipated Bompensiero's feelings and recognized a chance to bag a very valuable pigeon. He promised Bompensiero that he would get him out of both the state and Federal charges if he would "co-operate" with the bureau.

Bompensiero agreed. The charges against him were ultimately dismissed for insufficient evidence and Bompensiero could explain away the fact that his charges were dismissed because, after all, the construction company belonged to Fratianno and Bompensiero was less directly linked to the conspiracy.

At the time Bompensiero became an informant, with Jack Armstrong as his "control," he was highly respected not only on the West Coast but by Mafia families across the country. As a result of all his contacts, he was able to provide Armstrong with information about Mafia activities throughout the country.

Bompensiero had certain idiosyncracies, however, and one was that he refused to provide any information on certain cities, including New York, St. Louis, Detroit and Las Vegas.

At first it was suspected that he had reservations about these cities because special friends of his were located there, but Bompensiero had plenty of friends in other cities, for instance Buffalo, but no scruples about reporting Mafia activities in these cities.

In retrospect, some FBI officials believe that

he refused to testify about certain cities because he feared that the Mafia might have contacts in FBI offices there and that any information he might give about those areas might have unmasked his informant activities to mob associates and seal his death warrant. In the end, Bompensiero's precautions evidently weren't thorough enough.

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 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 along with their code numbers was kept by the accounting unit that processed the informants' payments. The unit was made up of inexperienced clerks, not former field agents as in other headquarters units. The paperwork involved in approving and making payments to informants was enormous, radically increasing the risk that incriminating information might fall into the wrong hands.

The entire method of handling informants has been revised since the flurry of the .22 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, and informants can no longer be "lent" to any other law enforcement agency. Ledgers of payments to informants contain only their code numbers, and there is no way a clerk can find out an informant's name.

These new procedures have come too late to help the 23 informants and witnesses who are now dead, and 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 "lent" to lawmen on other agencies.

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

Coincidentally (or perhaps not), 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 have established that these two men, Vincent Capone, who was shot in Hoboken last year, and Frank Chin, who was 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 claim. 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 thoroughly 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 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 to a large extent dependent on its results. The bureau cannot leave unexplained the discovery and murder of some of its most important informants and witnesses, and hope for much co-operation 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 witnesses 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 focused attention on the .22-caliber killings, simply "dried up" and are no longer providing information to the FBI.