



# Department of Justice

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District of Massachusetts

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## **FORMER FBI ASSISTANT SPECIAL AGENT IN CHARGE IN BOSTON CHARGED WITH PERJURY AND OBSTRUCTION OF JUSTICE**

BOSTON – Robert Fitzpatrick, former Assistant Special Agent in Charge (ASAC) of the FBI’s Boston Field Office, has been indicted by a federal grand jury on six counts of perjury and six counts of obstruction of justice in connection with his testimony at the 2013 trial of James “Whitey” Bulger. Fitzpatrick was an ASAC in Boston between 1981 and 1986 and supervised the FBI’s organized crime squad in Massachusetts, Rhode Island, New Hampshire and Maine.

Fitzpatrick, 75, of Charlestown, R.I., who is the author of *“Betrayal, Whitey Bulger and the FBI Agent Who Fought To Bring Him Down,”* testified under oath at the Bulger trial on July 29 and July 30, 2013. During that testimony, it is alleged that Fitzpatrick made false material declarations to aid Bulger’s defense and designed, in part, to enhance his own credibility as a former FBI official testifying for the defense.

It is alleged that Fitzpatrick falsely testified that: he was specifically sent to Boston by the Assistant Director of the FBI because there were major problems in the office, when, in fact, it was a routine reassignment and Fitzpatrick received no special instructions from the Assistant Director; that Bulger told Fitzpatrick that Bulger was not an FBI informant when, in fact, Bulger never denied to Fitzpatrick that Bulger was an informant; that Fitzpatrick tried to close Bulger as an FBI informant but was overruled by, among others, FBI headquarters when, in fact, Fitzpatrick never advocated that Bulger be closed as an informant; that he was not demoted and reduced in grade because of charges related to a shooting incident, when, in fact, Fitzpatrick was demoted due to his falsification of reports related to his investigation of a shooting incident; and that he personally arrested mob boss Jerry Angiulo when, in fact, Fitzpatrick did not arrest Jerry Angiulo. Finally, it is alleged that Fitzpatrick falsely testified that he personally found the rifle that was used to assassinate Dr. Martin Luther King, Jr. in Memphis in 1968, “having just missed James Earl Ray, the shooter.” According to the indictment, Fitzpatrick was not the first officer at the scene who recovered the weapon used to assassinate Martin Luther King.

The charging statute provides a sentence of no greater than five years in prison, three years of supervised release and a fine of \$250,000 on each of the six perjury counts and a sentence of no greater than 10 years in prison on the obstruction of justice counts. The sentences for federal crimes are typically less than the maximum penalties. Sentences are imposed by a

federal district court judge based upon the U.S. Sentencing Guidelines and other statutory factors.

Fitzpatrick is scheduled to have his initial appearance before U.S. Magistrate Judge Donald L. Cabell later today.

United States Attorney Carmen M. Ortiz and Michael E. Horowitz, Inspector General for the Department of Justice made the announcement today. This matter is being investigated by the Department of Justice Office of the Inspector General and is being prosecuted by Assistant U.S. Attorney Zachary R. Hafer of Ortiz's Public Corruption and Special Prosecutions Unit.

The details contained in the Indictment are allegations. The defendant is presumed to be innocent unless and until proven guilty beyond a reasonable doubt in a court of law.

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