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# FBI

## Law Enforcement Bulletin



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John E. Otto, Acting Director

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## Irish Terrorism Investigations

***"In spite of FBI successes, Irish nationals and sympathetic U.S. citizens continue to attempt to obtain weapons and money in the United States in violation of existing Federal laws."***

By

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Within the parameters of the FBI's overall law enforcement mission, Irish terrorism investigations are addressed through a twofold approach—prevention and reaction. In this regard, FBI field divisions are prepared to assume either a preventive or reactive stance as the situation dictates. Given a choice, the obvious preference would be to prevent terrorist activity. Lawful intelligence gathering techniques, such as use of informants, undercover operations, and court-ordered electronic surveillance, are instrumental tools in this effort. Also of benefit are good working relationships with intelligence and law enforcement agencies at all levels, both in the United States and internationally.

The second approach involves traditional law enforcement activity after U.S. statutes have been violated. Principal emphasis here is on stabilizing the

situation, if necessary, and on arresting the perpetrators with the ultimate goal of prosecution and incarceration. Successes in terrorism investigations have resulted in a precipitous decline in the number of total incidents in the United States over the past several years.

The FBI has adopted a strategy of viewing terrorists, including Irish, to be individuals involved in criminal enterprises. This allows for investigations predicated on criminal activity rather than on political or ideological motivations. With this emphasis, there is less concern with why this activity is being employed than with the fact that crimes are being committed. Irish terrorism investigations involve identification of subjects and group leaders, development of associations, and tracing of financial and support structures. The focus is on the total network and the ob-

ject is to gather evidence for eventual prosecution.

As a result of this aggressive investigative effort, the FBI has been successful in a number of Irish terrorism investigations by obtaining indictments and convictions. Additional investigations are ongoing, which should lead to future legal action.

These investigations are focused on three principal areas of activity: (1) involvement in weapons procurement in the United States and illegal transport of these weapons to Northern Ireland or the Republic of Ireland, (2) fundraising efforts in the United States with illegal transfer of this funding to Northern Ireland to directly support Irish terrorist elements operating there, and (3) identifying Irish terrorists who are in the United States illegally.

Irish terrorism matters are investigated under specific guidelines relating



Mr. Stone

to international terrorism investigations. Criminal activity is investigated under the Attorney General's Guidelines for General Crimes, Racketeering Enterprises, and Domestic Security/Terrorism Investigations (1983). Electronic surveillances in criminal matters are generally pursued under the provisions of Title III of the Omnibus Crime Control and Safe Streets Act of 1968. These matters are also investigated under the Attorney General's Foreign Counterintelligence Guidelines (1983). Electronic surveillances are generally conducted according to the Foreign Intelligence Surveillance Act of 1978 (FISA) and are authorized by a specially constituted Federal court. While the primary purpose of these intercepts is the collection of intelligence data bearing on the national security, clear provisions are made for the use of evidentiary material in criminal prosecutions (see *United States v. Megahey*, 553 F. Supp. 1180 (E.D.N.Y. 1982), affirmed, 729 F.2d 1444 (2d Cir. 1983). Recent court decisions indicate that surveillances under FISA will continue to be valuable in both preventing and reacting to terrorist activity.

In all such matters, protection of individual and group first amendment constitutional rights is of paramount concern. For example, no case is initiated solely on the basis of membership in an organization or the donation of money to the organization or cause. In many instances, donors believe that this money is going for charitable causes (e.g., aid to support families of imprisoned Irish soldiers). Barring specific articulable facts which indicate that a group or individual's activities (collecting funds, weapons procurement, etc.) are criminal in nature, such as aiding

and abetting Irish terrorist elements, there is no basis for pursuing an investigation.

#### **Major Irish Groups Active In The United States**

Investigations have shown that Irish group activity in the United States, in support of the Irish Republican Movement, centers around three principal elements: The Irish Republican Army or Provisional Irish Republican Army (PIRA) as it is often referred to, the Irish National Liberation Army (INLA), and the Irish Northern Aid Committee/Northern Irish Aid (NORAI). One other group with possible sympathizers in the United States, the Ulster Volunteer Force (UVF), is a "loyalist" and anti-movement element.

#### **PIRA**

PIRA is a militant Marxist organization composed primarily of residents of Northern Ireland and/or the Republic of Ireland who are committed to achieving British withdrawal from Northern Ireland and the establishment of a united 32-county democratic socialist republic in Ireland. It is an extremely violent group, having committed numerous terrorist acts against the British military, Irish civilians, and those they perceive as upholders of British rule in Northern Ireland. One such act resulted in the death of a U.S. citizen in the December 1983, bombing of Harrod's Department Store in London. PIRA is extremely well-armed and well-organized. Investigation of PIRA activities in the United States has centered on individuals who are operatives or supporters of this organization involved in the acquisition of weapons or funds to procure them.

***"Investigations have shown that Irish group activity in the United States...centers around three principal elements: The Irish Republican Army or...the Irish National Liberation Army...and the Irish Northern Aid Committee...."***

**INLA**

INLA is essentially a Marxist-Leninist oriented group also dedicated to the formation of a united 32-county democratic socialist republic in Ireland. It subscribes to violence as a means of ousting the British from Ulster and overthrowing the Government of the Republic of Ireland. It is the military wing of the Irish Republican Socialist Party. Although activities often parallel actions of PIRA, there is no formal alliance between the two organizations.

**NORAI**

NORAI is the main Irish fundraising organization in the United States and purports to raise funds to support families of imprisoned PIRA and Republican Movement members. It was founded in 1970 by Michael Flannery and two Irish Republican Movement veterans of the 1919-1921 period. In January 1982, a U.S. court ruled that NORAI must comply with provisions of the Foreign Agents Registration Act (1938) and register as an agent of PIRA. FBI investigations have centered on individuals suspected of being couriers of funds to PIRA or actively aiding and abetting any Irish terrorist organization. NORAI is headquartered in New York City with chapters located throughout the United States.

**UVF**

On the other side of the spectrum, the UVF is a "loyalist" paramilitary organization which represents a working class response to what is viewed as a threat to Protestantism posed by Irish Republican terrorism and Roman Catholicism. The UVF was formed in 1966 by Protestant extremists opposed to improved relations between Northern Ireland and the Republic of Ireland. It took its name from the original UVF,

which was established by Sir Edward Carson in 1912 to resist the need for Ulster to participate in Irish Home Rule.

UVF sympathizers in the United States are involved, albeit sporadically, in rather low-level attempts to obtain weapons which would be used by UVF members in Northern Ireland against Republican elements. The UVF is largely sectarian and anti-Catholic in its motivation. In the United States, the UVF has been generally inactive. As an example of the UVF's participation in the problems of Northern Ireland, during the summer of 1984 in Belfast, the UVF was involved in an unsuccessful assassination attempt on Gerry Adams, leader of the Sinn Finn, formerly the Provisional Sinn Finn, the political wing of PIRA. There have been instances where weapons recovered in Northern Ireland, which have been attributed to the UVF, have been traced to the United States. Analysis indicates these weapons possibly originated in the mid-western United States. To date, there has been no prosecution of UVF operatives here.

**Summary Of Significant Activity In The United States**

The following highlights significant Irish terrorist activity in the United States and the FBI's investigative response.

1981 - 1982

—On September 30, 1981, William Joseph Quinn was arrested by the FBI in San Francisco, CA, and charged with violation of Title 18, USC, Section 3184 (fugitive from a foreign country). Quinn had been sought by British authorities for the 1975 murder of a constable in London and conspiracy to cause explosions.

In October 1983, in U.S. District

Court, Northern District of California, the presiding judge rendered a decision that Quinn should be released from custody. The judge made this ruling based on his interpretation that the extradition treaty between the United States and Great Britain did not cover what the judge defined as a "political murder," for which Quinn was being held. The U.S. Government immediately filed an appeal before the Ninth Circuit Court of Appeals, contesting the judge's decision and requesting that the decision be stayed pending further appellate proceedings. This appeal was subsequently granted and Quinn was not released from custody.

In February 1986, the Ninth Circuit Court of Appeals ruled that Quinn should be extradited to Great Britain. In July 1986, Quinn's attorneys appealed this decision to the U.S. Supreme Court. In October 1986, the Supreme Court denied to hear the appeal and Quinn was ordered extradited to Great Britain. Quinn was subsequently transported to London, England, formally charged and remanded to prison.

—From June 1981, through June 1982, the FBI initiated investigations against Gabriel Megahey and Andrew Duggan. Megahey had been identified as the leader of a PIRA cell in the United States with sole responsibility being the acquisition of weapons for PIRA. Duggan, a suspected PIRA member, was alleged to be involved in purchasing highly sophisticated electronic equipment for PIRA. Stemming from investigative information obtained and an undercover operation, Megahey and Duggan were arrested on June 21, 1982. Arrested concurrently were Megahey's associates, Eamon and Colm Meehan. These individuals were arrested as a result of a seizure of

weapons at the Port of Newark on May 28, 1982. In May 1983, Megahey, Duggan, and Eamon and Colm Meehan were found guilty of violations of the National Firearms Act.

—Resulting from another undercover operation directed by the FBI, two INLA members, Colm Murphy and Vincent Toner, were arrested on July 21, 1982, for Federal firearms violations. The undercover operation was directed against INLA's efforts to procure weapons in the United States. During July 1983, both Murphy and Toner were convicted.

#### 1983 - 1984

—Joseph P.T. Doherty was arrested in June 1983, in New York City as an illegal alien (Title 18, USC, Section 3184). Doherty, a member of PIRA's infamous "M-60" Gang, had escaped from a Belfast, Northern Ireland, prison in September 1982, while awaiting trial for the murder of a British army officer. He was subsequently convicted and sentenced in absentia to life imprisonment. Information regarding Doherty's whereabouts in the United States was obtained from an FBI source. On December 13, 1984, the U.S. District Court for the Southern District of New York ruled that Doherty could not be extradited from the United States to answer charges in Ireland for the murder of a British army officer, as the offense was political in nature and not extraditable under the U.S.-Britain extradition treaty. He is presently being held without bond at Metropolitan Correction Center, New York, pending deportation and new extradition proceedings, based upon amendments to the U.S.-Britain extradition treaty which were adopted during June 1985.

—On May 17, 1984, Joseph Cahill and James Noel Drumm were arrested in New York City for entering the United States illegally (Title 8, USC, Section 1326). Cahill is considered the "godfather" of PIRA who has been extensively involved in weapons procurement on behalf of PIRA. Drumm has been described as the "money man" for PIRA and is known to be involved in the financing of weapons procurement activity. Cahill, following trial in New York, was deported to Dublin, Ireland, on July 2, 1984. Drumm agreed to voluntary deportation, which occurred May 18, 1984, the day after the arrest.

At the time of the arrest, both Cahill and Drumm had in their possession documentation which indicated they had entered the United States illegally on March 11, 1984, at New York City. For 2 months they were involved in numerous fundraising events.

—On July 27, 1984, Robert Emmett Hunter was arrested in Los Angeles, CA, for fraud and misuse of visas, permits, and other entry documents (Title 18, USC, Section 1546). Hunter is associated with PIRA and had previously been imprisoned on charges resulting from a bombing and possessing a firearm. A search of Hunter's residence revealed four blank birth certificates and additional documents relating to his illegal residency in the United States. On November 30, 1984, criminal charges against Hunter were dropped so that deportation proceedings could be undertaken.

—On September 29, 1984, a cache of firearms, ammunition, and explosives, totaling approximately 7 tons, was seized by Irish Federal Police on board the fishing trawler "Marita Ann" as it was heading for the port of Dingle on the southwest coast of Ireland. Five individuals, identified as Martin Ferris,

John Crawley, Gavin Mortimer, John McCarthy, and trawler owner Michael Brown, all PIRA members, were arrested. Subsequent information indicated that the cache had been off-loaded earlier from the trawler "Valhalla" off the west coast of Ireland.

On October 16, 1984, the "Valhalla" was located by the United States Customs Service (USCS) in Boston, MA. Interviews by the FBI and USCS of a "Valhalla" crew member clearly identified this vessel as the "mothership" involved in the PIRA weapons shipment. The "Valhalla" was allegedly loaded with weapons on September 13 to 14, 1984, at Gloucester, MA, and then sailed to the Irish Sea for offloading onto the "Marita Ann."

One of the five individuals arrested, John Crawley, was allegedly involved in PIRA activities in the United States. Crawley and six other individuals were indicted in April 1986, for violation of the Arms Export Control Act, Title 22, USC, Section 2778, the Export Administration Act, Title 50, USC, Section 2410, and various sections of Titles 18 and 26 USC. During May 1987, three of the individuals pled guilty to various counts of the indictment. These and the others are awaiting further legal proceedings in Boston, MA.

#### 1985 - 1986

—The continuing investigation surrounding the seizure of weapons at the Port of Newark on May 28, 1982, (Megahey, supra) determined that some of the weapons for this shipment were purchased by an individual using the name Robert Power.

A subsequent fingerprint analysis was done comparing the fingerprints of an individual named Liam Ryan of New York City with those developed from the



Weapons seized during "Marita Ann" case.

Federal firearms registration form in the Megahey weapons shipment case. A match of the fingerprints determined that Ryan was the individual who purchased these weapons using the name of Robert Power.

Ryan returned to the United States from Ireland on April 14, 1985, and was arrested on April 24, 1985, in New York City for violation of Title 18, USC, Section 1001 (making false, fraudulent, and fictitious statements), stemming from

his weapons purchase in the above case. On September 18, 1985, Ryan pled guilty to one count of Title 18, USC, Section 1001 in the U.S. District Court, Eastern District of New York.

—Another investigation identified an individual named Sean Gerard Mackin, an individual considered to be an INLA member in the United States.

As part of the ongoing investigation, Mackin was arrested on July 16, 1985, by Immigration and Naturaliza-

tion Service (INS) and FBI Agents for violation of Title 8, USC, Section 1252 (overstay of B-2 visa). Mackin was released on \$15,000 bond on July 19, 1985, and is presently awaiting an INS hearing.

—Investigation by the Los Angeles FBI Office from February 1985, until June 1986, indicated that the INLA was using William Wallace Norton and his wife Eleanor Elias Norton to procure weapons in the United States. Norton, a

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***"This allows for investigations predicated on criminal activity rather than on political or ideological motivations...."***

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retired screenwriter for Walt Disney Productions, moved from Los Angeles, CA, to an area near Dundalk, Republic of Ireland, during March 1986. On June 5, 1986, the ship carrying Norton's vehicle arrived in Rotterdam and the vehicle, still in the shipment container, was off loaded and transported to LeHavre, France.

On June 11, 1986, at LeHavre, France, French authorities, based on information provided by the FBI, searched the vehicle and found 2 machine guns, 12 AR-15 rifles, 24 handguns, a rifle scope, silencers, and approximately 2,200 rounds of ammunition. Norton, his wife, and three Irish nationals, Sean Hughes (aka Anthony James Mackenzie), James Joseph McLaughlin, and Suzanne May, were arrested by French authorities and charged with arms trafficking when they attempted to take possession of the vehicle.

The Nortons are currently being held in France, without bond, on weapons conspiracy charges. On June 18, 1986, a U.S. arrest warrant was issued for Norton and a complaint filed in Los Angeles, CA, charging Norton with one count of violating Title 22, USC, Section, 227 B (C) (Willfully Exporting U.S. munitions without a valid license or written approval of the U.S. Department of State). Norton was also charged with violating Title 18, USC, Section, 922(E) (Knowingly Delivering a Vehicle Containing Firearms and Ammunition to a Common Carrier for Transportation in Foreign Commerce). Prosecution in this case is pending, but will be delayed until the Nortons stand trial in France.

—In March 1985, an undercover

FBI Special Agent (UCSA) was placed in contact with an individual named Jackie McDonald. McDonald in turn introduced the UCSA to Noel B. Murphy, an Irish citizen living in Boston, MA. During discussions between Murphy and the UCSA, Murphy expressed interest in purchasing automatic rifles for shipment to the PIRA. Negotiations between Murphy and the UCSA culminated with an agreement for Murphy to purchase 100 M-16 rifles at \$500 each, 1 Redeye surface-to-air missile at \$10,000, 5,000 rounds of .223 caliber ammunition, and two ammunition clips for each weapon. The total package price was to be \$60,000.

On May 15, 1986, the UCSA met with Murphy and Cairan Hughes, an Irish citizen who was responsible for getting the weapons shipped to Ireland, to finalize the deal. On May 20, 1986, the UCSA met with Murphy, Hughes, and five individuals subsequently identified as Roy Paul Willey, John Fitzgerald, James Boyle, Steven MacDonald, and Michael P. McLaughlin in a Bedford, MA, hotel. The UCSA, Murphy, and Hughes left the hotel and went to Hanscom Airfield to inspect the weapons. The other five subjects and two other UCSAs remained in the hotel room waiting for Murphy and Hughes to return. Upon arriving at the airfield, Murphy and Hughes were arrested. Simultaneously, the five subjects in the hotel room were arrested, and Jackie MacDonald was arrested at his place of employment.

On June 4, 1986, Federal grand jury indictments were returned charging all eight subjects with Conspiracy to Violate the Arms Export Control Act, Ti-

tle 18, USC, Section 371, Conspiracy to Violate Federal Firearms Laws, Title 18, USC, Section 922 (A) (4), and Title 25, USC, Section 5861 (D). Murphy and Hughes were also indicted for dealing in firearms and ammunition without a license and being an alien in possession of a firearm.

On October 2, 1986, McLaughlin pled guilty to one count of conspiring to violate the Arms Export Control Act. On October 7, 1986, Jackie McDonald and Roy Willey pled guilty to the same charge. On October 8, 1986, John Fitzgerald, James Boyle, and Stephen McDonald pled guilty to the conspiracy charge under Title 18, USC, Section 371. On October 23, 1986, in U.S. District court, Boston, MA, a jury returned guilty verdicts against Noel Murphy and Cairan Hughes on all charges except the indictment for being an alien in possession of a firearm.

#### **Conclusion**

The FBI, through cooperation with other U.S. Government agencies and foreign police services, has enjoyed significant accomplishments against individuals procuring weapons and funds in the United States for use by Irish terrorist organizations. These successes, obtained by using both preventive and reactive investigative techniques, have produced a substantial decline in arms procurement activities in the United States by Irish nationals.

In spite of FBI successes, Irish nationals and sympathetic U.S. citizens continue to attempt to obtain weapons and money in the United States in violation of existing Federal laws. Consequently, the FBI will continue its investigative efforts into the activities of Irish terrorist organizations operating in the United States.

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