

**AFFIDAVIT**

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Krista L. Corr, Special Agent, Federal Bureau of Investigation ("FBI"), being duly sworn, states:

1. I have been a Special Agent of the FBI for 19 years and have been assigned to the Public Corruption Squad of the Boston office of the FBI since 1991. In this assignment, I have been involved in the investigation of public corruption and other offenses which are violations of federal statutes within the jurisdiction of the FBI. I personally participated in the investigation of violations of federal law by **CHARLES "CHUCK" TURNER** set forth in this affidavit.

2. This affidavit is submitted in support of a criminal complaint charging **CHARLES "CHUCK" TURNER ("TURNER")** with attempted extortion under color of official right in violation of 18 U.S.C.§1951 and making materially false, fictitious, and fraudulent statements in a matter within the jurisdiction of the executive branch of the Government of the United States in violation of 18 U.S.C.§1001(a)(2).

3. This affidavit summarizes a portion of a covert investigation into the criminal activities of **TURNER** and others which has spanned a period of approximately eighteen months. Since this affidavit is being submitted for the limited purpose of establishing probable cause to believe that **TURNER** committed violations of 18 U.S.C.§§ 1951 and 1001, I have not included each and every fact known to me concerning this investigation. The foregoing facts are based on my personal participation in this investigation, as well as reports made to me by other agents of the FBI, and from a review of information provided to FBI agents by individuals associated with this investigation. A substantial portion of the evidence in this affidavit is based on consensual surreptitious recordings. During the course of this investigation more than 150 recordings were made.

**BACKGROUND OF DEFENDANT**

4. **CHARLES "CHUCK" TURNER** (YOB 1940) has a residence on Beech Glen Street in Boston, Massachusetts. **TURNER** is an elected member of the Boston City Council, serving District Seven. District Seven is comprised of precincts in

1 Roxbury and parts of the Fenway, South End, and Dorchester. **TURNER** was first elected  
2 to the Boston City Council in 1999, and he has been re-elected every two years since then.  
3 He is currently serving his fifth term.

#### 4 CASH PAYMENT FOR OFFICIAL ACTS

5 5. In early 2007, an individual who later became a cooperating witness  
6 (“CW”) informed the FBI that Massachusetts State Senator Dianne Wilkerson  
7 (“Wilkerson”) took cash payments from constituents and others having business before the  
8 Senate. The CW also told the FBI that he was present for two cash payments made to  
9 Wilkerson in connection with the operation of a nightclub in Wilkerson’s district in  
10 Roxbury, Massachusetts. The CW also told agents that he had heard that **TURNER** took  
11 cash payments in connection with his official position. While the CW had not made  
12 payments to **TURNER** himself, he reported one specific instance of **TURNER** taking a  
13 cash payment for writing a letter of recommendation for an individual with a criminal  
14 record.

15 6. On or about December 2006, prior to the CW's involvement in this  
16 investigation, the CW approached Wilkerson for assistance in opening a proposed club to  
17 be located in the Crosstown Center on Melnea Cass Boulevard in Roxbury, Massachusetts.  
18 The proposed club was to be operated under the name Back Bay Entertainment, Inc. d/b/a  
19 Dejavu Restaurant/Lounge (“Dejavu”). The Crosstown Center was in Wilkerson’s senate  
20 district. It was also in **TURNER**’s Boston City Council district. Among other things, the  
21 CW sought Wilkerson’s and **TURNER**’s assistance in obtaining a liquor license for  
22 Dejavu.

23 7. Liquor licenses in the City of Boston are issued by the Boston Licensing  
24 Board (“BLB”) upon application, a public hearing, and after review and approval by the  
25 Massachusetts Alcohol Beverages Control Commission (“ABCC”). A standard liquor  
26 license is transferrable by the licensee, after review and approval by the BLB and ABCC.  
27 During the relevant time period, transferable liquor licenses were being sold on the open  
28 market for approximately \$250,000 to \$300,000 each. However, a limited number of

1 nontransferable liquor licenses had been authorized by state statute and were available  
2 directly from the BLB. Those licenses cost the recipient only an annual fee of \$2,900 plus  
3 \$1.00 per seat. The CW sought Wilkerson's and **TURNER**'s assistance in obtaining one of  
4 these nontransferable liquor licenses from the BLB for Dejavu in order to avoid the  
5 substantial capital cost of purchasing a transferable liquor license on the open market.

6 8. In January 2007, the CW had an attorney submit an application on behalf  
7 Dejavu to the BLB for a nontransferable liquor license. On or about January 22, 2007,  
8 **TURNER** authored a letter which was submitted to the BLB along with the Dejavu  
9 application, in which **TURNER** expressed his support for the opening of the club at the  
10 Crosstown Center.

11 9. Initially, the CW did not pay either **TURNER** or Wilkerson a bribe for  
12 their assistance in obtaining a nontransferable liquor license from the BLB. The CW's  
13 application for a nontransferable liquor license was rejected by the BLB after a hearing in  
14 March 2007.

15 10. In May 2007, the CW again initiated discussions with Wilkerson  
16 seeking her assistance in obtaining a nontransferable liquor license for Dejavu. In a  
17 telephone conversation that was audio recorded on or about May 30, 2007, the CW asked  
18 for Wilkerson's assistance in obtaining such a license. The CW told Wilkerson that he  
19 would "take care of you" (referring to the payment of cash) in exchange for her assistance.  
20 Wilkerson responded that she would "kick some tires" to which the CW again told her, "I'll  
21 see you and I'll take care of you."

22 11. **Cash Payment to Wilkerson at Scollay Square (\$500)**: On June 5,  
23 2007, the CW met with Wilkerson for lunch at the Scollay Square Restaurant on Beacon  
24 Hill. The meeting was surreptitiously audio and video recorded. During the course of their  
25 conversation, Wilkerson assured the CW that Dejavu would get a liquor license from the  
26 BLB and that he would get notification of it in the mail. In response, the CW handed  
27 Wilkerson \$500 in cash and told Wilkerson that he would see her again when he had the  
28 license in hand. The CW and Wilkerson spoke about how little **TURNER** had done to

1 assist the club to date. The CW also told her that as soon as he got the license, he would  
2 have a grand opening and “take care of you.”

3 12. **Second Cash Payment to Wilkerson at No. 9 Park (\$1,000)**: On June  
4 18, 2007, Wilkerson and the CW met at the bar at No. 9 Park at approximately 1 p.m. The  
5 meeting was surreptitiously audio and video recorded. Wilkerson told the CW that she had  
6 spoken with the Mayor and his assistant about getting the club a full liquor license and that  
7 a beer and wine license was not adequate. The CW handed Wilkerson \$1,000 in cash and  
8 said, “that’s a thousand dollars, all right? . . . You tell me what you want. If this goes  
9 through, you got it. You, you tell me your price. Okay? And I am not playing around.”

10 13. **Wilkerson Escalates Efforts**: On June 21, 2007, Wilkerson spoke  
11 with the CW on the telephone regarding her ongoing efforts to obtain a liquor license for  
12 Dejavu. The call was recorded. She told the CW that she spoke with the Mayor, the  
13 Mayor’s assistant, the Chairman of the BLB, the Senate chairman of the Joint Committee  
14 on Consumer Protection and Professional Licensure, and the Chairman of the ABCC about  
15 obtaining a liquor license for Dejavu. The CW responded, “I appreciate it. . . I will take  
16 care of you, okay?” The Joint Committee on Consumer Protection and Professional  
17 Licensure is responsible for all state legislative matters concerning the issuance of licenses  
18 for the sale of alcoholic beverages. The ABCC is the state entity responsible for reviewing  
19 and approving all liquor licenses issued by the BLB.

20 14. **Wilkerson Seeks Turner’s Support**: On or about June 29, 2007,  
21 Wilkerson left a voicemail message for the CW. In that message Wilkerson updated the  
22 CW on her efforts to obtain a license for Dejavu. Wilkerson said that she met with  
23 **TURNER** and other city officials to leverage a license for Dejavu. On or about June 30,  
24 2007, the CW spoke with Wilkerson on the telephone. The call was audio recorded. In that  
25 call, Wilkerson said that the Boston City Council was planning a public hearing about the  
26 availability of liquor licenses in Boston. She also told the CW that she spoke with  
27 **TURNER** and that **TURNER** told her that it was likely that Dejavu and another named  
28 business would get licenses before the scheduled public hearing.

1                   15. **Turner's Efforts in the City Council**: On or about July 11, 2007, the  
2 CW spoke with Wilkerson about the efforts she was making to obtain a liquor license for  
3 Dejavu. Wilkerson said that she had been in communication with **TURNER** and that  
4 **TURNER** was setting up a Boston City Council hearing on the issue. Wilkerson also said  
5 that **TURNER** had set up an interview for her with the People's Voice on the issue. The  
6 Boston People's Voice is a local news publication. In another recorded conversation on or  
7 about July 19, 2007, Wilkerson told the CW that **TURNER** was pressing for a hearing on  
8 the licensing issue but that the hearing was opposed by the City Council President.

9                   16. **Meeting with Turner in City Hall**: On or about July 25, 2007, the  
10 CW met with **TURNER** in **TURNER**'s City Hall office. The meeting was surreptitiously  
11 audio recorded. The CW told **TURNER** that he was stopping by to thank him for his  
12 support on the "Crosstown thing." They discussed the CW's efforts to obtain a liquor  
13 license and the rejection of his application by the BLB. **TURNER** responded that, "I've got  
14 everything set up to have a hearing." He said he had not chosen a date yet because he  
15 wanted to confirm that his efforts would "fit [Wilkerson's] strategy." **TURNER** said he  
16 had spoken with Wilkerson's chief of staff about the issue. The CW again thanked  
17 **TURNER** for his support and said, "[i]f there's anything I can do to help you . . . you let me  
18 know and, and you got it." The CW initially offered to give **TURNER** a fund-raiser.  
19 **TURNER** responded, "that would be very helpful . . . either . . . a personal contribution or  
20 if you have some friends . . ." **TURNER** then gave the CW the contact information for the  
21 individual who coordinated his fund raising events. Shortly after the CW offered to raise  
22 money for him, **TURNER** made several calls to Wilkerson's office to coordinate a date for  
23 a Boston City Council hearing. He also placed a call to another city councilor to discuss  
24 available dates for a hearing. The CW again offered to hold a fund raising event for  
25 **TURNER** at a recently remodeled nightclub. **TURNER** responded, "That would be great.  
26 That would be great. All right."

27                   17. **Third Cash Payment to Wilkerson at the Fill-A-Buster (\$1,000)**: On  
28 or about August 2, 2007, the CW met with Wilkerson in her State House office. The

1 meeting was surreptitiously audio and video recorded. Wilkerson suggested that they leave  
2 the State House for their meeting. After leaving the office, Wilkerson told the CW that  
3 “they are busting tail” and that the CW should get his license in a matter of weeks rather  
4 than months. Wilkerson detailed her efforts to obtain a license for Dejavu. The CW asked  
5 Wilkerson if the Boston City Council hearing would be stopped if the BLB came through  
6 with a license for Dejavu. Wilkerson responded that she would talk to **TURNER** about it,  
7 but did not know if he would be willing to stop the hearing. During the course of their  
8 conversation at the Fill-A-Buster, the CW handed Wilkerson \$1,000 in cash, saying “that’s  
9 a grand.” Wilkerson replied, “Thank you. Thank you so much.”

10 **18. Turner Invites CW to District Office:** After the CW made the third  
11 cash payment to Wilkerson, he received a call from **TURNER**. **TURNER** told the CW that  
12 he had spoken with Wilkerson and that Wilkerson had told **TURNER** that the CW had been  
13 to visit her. **TURNER** then invited the CW to visit him at his district office in Roxbury,  
14 Massachusetts. The CW understood this call from **TURNER** to be a solicitation for a cash  
15 payment, similar to the three cash payments he had already made to Wilkerson.

16 **19. Turner Takes \$1,000 Payment in District Office:** On or about August  
17 3, 2007, the CW met with **TURNER** in his office in Roxbury. The meeting was  
18 surreptitiously audio and video recorded. The CW told **TURNER** that he had spoken with  
19 Wilkerson twice recently about **TURNER**’s efforts. The CW told **TURNER** that he had  
20 spoken to Wilkerson that morning and added, “I think we talked about that,” referring to the  
21 CW’s telephone conversation earlier that day in which **TURNER** invited the CW to visit  
22 **TURNER** at this district office. The CW expressed his appreciation for **TURNER**’s  
23 assistance in his quest to obtain a liquor license for Dejavu. The CW said, “your support  
24 has been superb . . . it’s really hard to get somebody to stand up for you in a fight.” The  
25 CW thanked **TURNER** for his efforts and said, “I just wanted to stop by and just give you  
26 – take your wife out to dinner and do something nice.” **TURNER** acknowledged that he  
27 was trying to set up a hearing in Boston City Hall to discuss the liquor license issue and that  
28 he had been in communication with Wilkerson about it. **TURNER** said he was planning to

1 discuss with another city councilor a date for the hearing. The CW said to **TURNER** that  
2 he had told Wilkerson that he intended to stop by and show his gratitude to **TURNER**. The  
3 CW also told **TURNER** that he intended to show his gratitude again after the planned city  
4 council hearing. The CW then handed **TURNER** \$1,000 in cash and said, "you take the  
5 wife to dinner and . . . have some fun." **TURNER** accepted the money, while smiling and  
6 nodding his head, and responded, "okay." The CW also said, "I just want you to know that .  
7 . . you take care of me, I take care of you." The CW reiterated that he would talk to  
8 **TURNER** after the planned hearing and said, "we'll set something else up." **TURNER**  
9 responded by asking the CW to write down a way for **TURNER** to reach him in the future.  
10 The CW wrote down for **TURNER** his telephone number in a hard-back composition book  
11 which **TURNER** handed to him. The CW and **TURNER** then spoke of the space Dejavu  
12 was seeking to lease at the Crosstown Center. Before leaving, the CW again reiterated that  
13 he would speak with **TURNER** at the planned hearing and "we'll set up and I'll take care of  
14 you again." The CW also told **TURNER** that he would tell Wilkerson that the two had met  
15 that day. Two still images from the video recording of the CW providing **TURNER** \$1,000  
16 cash are attached as Exhibits A and B. Exhibit A shows an image of **TURNER** speaking  
17 with the CW in his district office just prior to the payment of \$1,000. Exhibit B shows  
18 **TURNER** accepting a folded wad of \$1,000 cash from the CW. The cash taken by  
19 **TURNER** was in the following denominations: five \$100 bills and ten \$50 bills. The serial  
20 numbers of the bills were recorded by the FBI.

21           20. **Turner Follows Up on Hearing:** On August 8, 2007, **TURNER** left a  
22 voicemail message on the CW's telephone. In that message **TURNER** said that he spoke  
23 with the city councilor responsible for scheduling hearings regarding the proposed hearing  
24 on liquor licenses. He said that the hearing would be scheduled either the 16<sup>th</sup> or the 20<sup>th</sup> of  
25 August.

26           21. Between August 8, 2007 and August 13, 2007, the CW obtained  
27 assurances that the BLB would issue Dejavu a beer and wine license and that Dejavu would  
28 be the first in line for a full liquor license. These assurances, conveyed to the CW by an

1 attorney close to the BLB chairman, were the product of pressure exerted by Wilkerson on  
2 the BLB and the City of Boston and the product of **TURNER**'s planned city council  
3 hearing. According to Wilkerson, the BLB was seeking to avoid a Boston City Council  
4 hearing which could prove embarrassing to the BLB. In a recorded call on or about August  
5 9, 2007, the attorney close to the BLB chairman also suggested to the CW that "it would be  
6 great to get [the hearing] off" now that Dejavu was assured a license.

7           **22. Turner Agrees to Cancel City Council Hearing:** On August 13, 2007,  
8 the CW spoke with **TURNER** on the telephone. The call was recorded. In that call, the  
9 CW explained to **TURNER** that he expected Dejavu to get a beer and wine license and that  
10 they would be first in line to get the next available liquor license. After some discussion,  
11 **TURNER** stated that he "would be willing to pull back on the [city council] hearing" if the  
12 CW got a license and if Wilkerson concluded that another person who was seeking a liquor  
13 license had his issue resolved. Through Wilkerson's efforts, the BLB awarded Dejavu a  
14 beer and wine license on August 16, 2007, and the CW was assured that Dejavu would get  
15 the next available liquor license. In addition, Wilkerson began garnering support for a  
16 home rule petition (a piece of state legislation specific to a particular municipality which is  
17 initiated by that municipality and then forwarded to the state legislature) which would grant  
18 the BLB authority to issue dozens of new nontransferable liquor licenses in Boston.  
19 **TURNER** ultimately dropped his plan for a hearing.

20           **23.** On August 30, 2007, the CW spoke with Wilkerson and told her: "I have  
21 a little something for you. You've been doing a lot of heavy lifting lately." He also told her  
22 that he wanted to introduce her to a young man with whom he was beginning to work. The  
23 young man, referred to herein as "UC1," was in fact an undercover FBI agent posing as an  
24 out of state businessman. Wilkerson agreed to meet with the CW and UC1 at the Fill-A-  
25 Buster restaurant the following day.

26           **24. Fourth Cash Payment to Wilkerson at the Fill-A-Buster (\$1,000):**  
27 On August 31, 2007, the CW met with Wilkerson at the Fill-A-Buster restaurant on Beacon  
28 Hill in Boston. The meeting was surreptitiously audio and video recorded. Wilkerson



1 brought along her grandchild. The CW told Wilkerson that UC1 could not make the  
2 meeting, but would like to meet her in the future. Wilkerson said she was anxious to meet  
3 UC1 because she wanted him to look at some “business opportunities.” At one point the  
4 child left the table and the CW handed Wilkerson \$1,000 in cash. The CW said, “while she  
5 is gone, I just want to make sure. This is a thousand dollars. . . You’re the only soldier  
6 that’s been on our watch.”

7           25. **Wilkerson Directs the CW to Turner:** In a telephone conversation  
8 between the CW and Wilkerson on or about September 11, 2007, they discussed an  
9 upcoming meeting with UC1 and the status of the Boston City Council’s consideration of  
10 the home rule petition authorizing additional liquor licenses. The CW asked Wilkerson  
11 whether he should “touch base” with **TURNER** and “let him know my appreciation.”  
12 Initially Wilkerson responded that it was not necessary. Then she changed her mind stating,  
13 “You know what? Yes you should.”

14           26. **Delivery of Money Prevented in City Hall:** On September 12, 2007,  
15 the CW went to Boston City Hall to provide **TURNER** with another cash payment for his  
16 assistance in obtaining a license for Dejavu. Just prior to the meeting with **TURNER**, one  
17 of **TURNER**’s assistants asked the CW his name. The assistant then said: “I’m gonna ask  
18 you one question . . . is it money?” When the CW falsely responded “no,” the assistant  
19 explained that money could not be provided in City Hall. The assistant then accompanied  
20 the CW to the lobby outside the city council chamber to meet with **TURNER**. When  
21 **TURNER** emerged from the chamber, the CW thanked **TURNER** for “the home rule  
22 petition vote.” The CW was unable to discretely provide the cash to **TURNER** while  
23 **TURNER**’s assistant stood nearby. The CW suggested that they meet for lunch sometime  
24 and explained that, “I have a little something to give you or whatever.” **TURNER** then had  
25 his assistant take the CW’s telephone number down so that he could contact the CW to  
26 discuss plans for lunch.

27           27. Over the following several weeks the CW was tasked by the FBI with  
28 building a relationship between UC1 and Wilkerson. The CW did not receive any calls

1 from **TURNER** nor did the CW place any calls to **TURNER**. From that point forward, the  
2 undercover investigation focused primarily on Wilkerson as detailed in the complaint  
3 affidavit in United States v. Dianne Wilkerson, Crim. No. 08-1772-TSH (D.Mass.).

4           **28. Turner Conceals Cash Payment:** **TURNER** was required under  
5 Massachusetts law to make full disclosure of financial interests he had in any particular  
6 matter before the Boston City Council. **TURNER** did not disclose to either the City of  
7 Boston or the Massachusetts Ethics Commission his acceptance of \$1,000 in cash from the  
8 CW on August 3, 2007. **TURNER** was also required by Massachusetts law to report all  
9 campaign contributions on a form published by the Massachusetts Office of Campaign  
10 Finance. **TURNER** executed a form on September 17, 2007 which covered the period from  
11 January 1, 2007 through September 7, 2007; that form was submitted to the Boston City  
12 Clerk on January 23, 2008. That form did not include any disclosure of the payment of  
13 \$1,000 in cash by the CW on August 3, 2007. In addition, at the time of the \$1,000  
14 payment, Massachusetts campaign finance law prohibited candidates for office from taking  
15 in any calendar year more than \$500 from any one person and more than \$50 in cash from  
16 any one person in campaign contributions.

17           **29. Wilkerson Arrested, Turner Falsely Denies Cash Payment:** On the  
18 morning of October 28, 2008, Wilkerson was arrested on a criminal complaint charging her  
19 with attempted extortion under color of official right in violation of 18 U.S.C. §1951 and  
20 theft of honest services wire fraud in violation of 18 U.S.C. §§1343 and 1346. That same  
21 morning, two FBI agents met with **TURNER** in his City Hall office. The agents identified  
22 themselves. **TURNER** carefully examined each agent's credentials. The agents proceeded  
23 to interview **TURNER** about his involvement in obtaining a liquor license for Dejavu.  
24 **TURNER** said that he had been involved in the home rule petition to provide more liquor  
25 licenses to businesses in Boston, including one business that had been identified by  
26 Wilkerson which was planned in the Crosstown Center. **TURNER** said that he had spoken  
27 to Wilkerson on several occasions about the liquor license issue. He also said that he had  
28 spoken with the Chairman of the BLB, the ABCC, and the City Council President about the

1 issue. He said that after these discussions he “saw nothing clear cut for racial bias” in the  
2 issuance of liquor licenses in Boston. He said he had planned a Boston City Council  
3 hearing on the issuance of liquor licenses, but that Wilkerson’s “strategy” of moving  
4 forward with a home rule petition which would make more licenses available “trumped” the  
5 need for a hearing. **TURNER** was asked if he knew the CW. **TURNER** responded that the  
6 name sounded familiar but that he did not know him. **TURNER** was shown a photograph  
7 of the CW. **TURNER** said he thought the CW looked familiar, possibly from seeing him in  
8 the community, but that he did not know him. When asked by agents, **TURNER** repeatedly  
9 denied ever being offered money by the CW and denied accepting any money from the CW.  
10 **TURNER** also said that the CW never offered him any other any assistance. **TURNER**  
11 told the agents that the CW never offered to hold a fund-raiser for **TURNER**. **TURNER**  
12 also denied meeting with the CW. Near the end of the interview, **TURNER** reiterated, “no  
13 one offered me any money.” **TURNER** said that while he never accepted any money from  
14 the CW, he noted the pervasiveness of corruption among politicians: “If you took out all  
15 corrupt politicians, you’d take out 90% and be left with us 10%.”

### 16 **CONCLUSION**

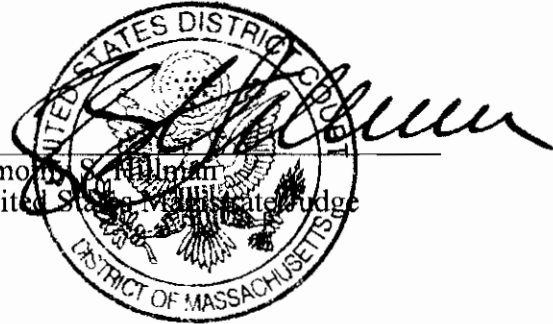
17 30. Based on the information set out above, I believe probable cause exists  
18 to conclude that: on or about August 3, 2007, **CHARLES “CHUCK” TURNER** did  
19 knowingly and willfully attempt to commit extortion under color of official right and  
20 thereby affect interstate commerce and the movement of articles and commodities in  
21 interstate commerce, in that **CHARLES “CHUCK” TURNER** unlawfully obtained a cash  
22 payment in the amount of \$1,000 from the CW, knowing that the payment was tendered in  
23 exchange for his official acts as a Boston City Councilor in connection with obtaining a  
24 liquor license for a proposed restaurant/lounge in the City of Boston, which payment was  
25 not legally due to **CHARLES “CHUCK” TURNER** or to his office as a Boston City  
26 Councilor, and the consent of the CW having been induced and obtained under color of  
27 official right, in violation of Title 18 U.S.C. §1951; and that on or about October 28, 2008,  
28 **CHARLES “CHUCK” TURNER** did knowingly and willfully make a materially false,

1 fictitious, and fraudulent statement in a matter within the jurisdiction of the executive  
2 branch of the Government of the United States in violation of 18 U.S.C. §1001(a)(2).

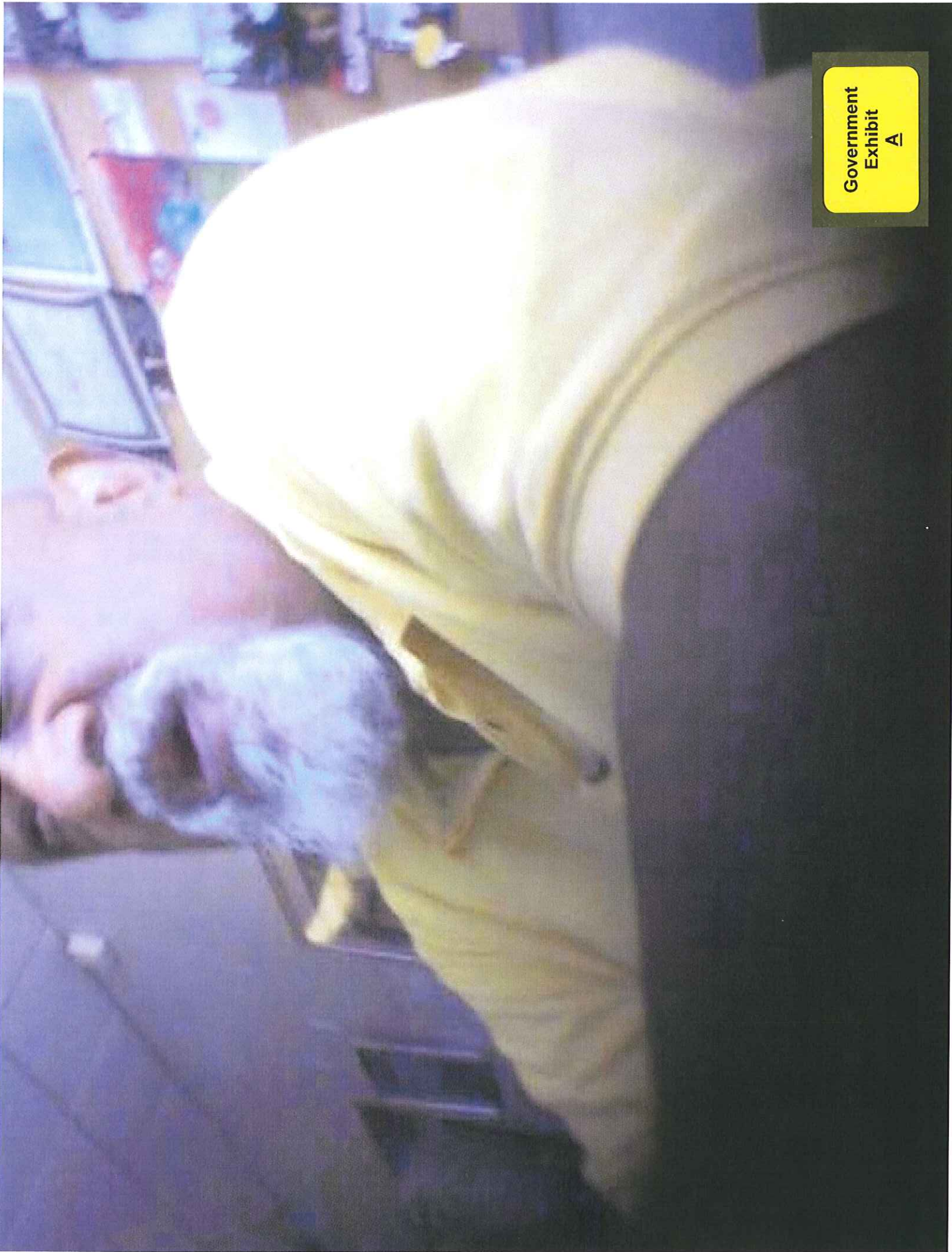
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5 Krista L. Corr  
6 Special Agent  
7 Federal Bureau of Investigation  
8 Boston, Massachusetts

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10 Subscribed and sworn to before me this 19 day of November, 2008.

11   
12 Timothy S. Sullivan  
13 United States District Judge  
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Government  
Exhibit  
A



Government  
Exhibit  
B

← CASH

