

112929-
112938

Federal Probation

- The Drug Problem: Is There an Answer? 112929 Merrill A. Smith
- Supervising the Chemically Dependent Person 112930 Lawrence M. Anthony
- The North Carolina Community Penalties Act: A Serious Approach
to Diverting Offenders from Prison 112931 Marc Mauer
- Crime, Popular Mythology, and Personal Responsibility 112932 Glenn D. Walters
Thomas W. White
- The Implications of Research Explaining Prison Violence and
Disruption 112933 Peter C. Kratcoski
- Military Training at New York's Elmira Reformatory, 1888-1920 112934 Beverly A. Smith
- A Case Study in Regaining Control of a Violent State Prison 112935 J Forbes Farmer
- Family Ties During Imprisonment: Do They Influence Future
Criminal Activity? 112936 Creasie Finney Hairston
- Child Sexual Abusers and Sentencing Severity 112937 Dean J. Champion
- Government Perceptions of Organized Crime: The Presidential
Commissions, 1967 and 1987 NCJRS 112938 Jay S. Albanese

AUG 1 1988

ACQUISITIONS

MARCH 1988

**U.S. Department of Justice
National Institute of Justice**

112929-
112938

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this ~~copyrighted~~ material has been granted by

Federal Probation

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the ~~copyright~~ owner.

112938

Government Perceptions of Organized Crime: The Presidential Commissions, 1967 and 1987

BY JAY S. ALBANESE, PH.D.*

"The true history of the President's Commission on Organized Crime is a saga of missed opportunity."

—Ten members of the 18-member President's Commission in 1986

DURING THE last 20 years there have been two Presidential commissions that have focused specifically on organized crime. The Task Force on Organized Crime of the President's Commission on Law Enforcement and Administration of Justice reported to President Johnson in 1967, and the President's Commission on Organized Crime reported to President Reagan in 1986 (although the final report was not published until 1987).

Both these investigations took approximately 2 years to complete, relying on hearings, testimony, and research staff to conduct their analyses. This article compares the observations and conclusions of these two commissions in their assessment of (1) the proper definition of organized crime, (2) the primary activities of organized crime groups, (3) their role in public and private corruption, (4) national efforts to prevent organized crime, and (5) recommendations for the future. Such an analysis is useful in assessing changes in the government's understanding and response to organized crime during the last 20 years.

The Government's Perception of Organized Crime

The Task Force on Organized Crime (TFR) concluded in 1967 that organized crime was a "society." In particular, the "core of organized crime in the United States consists of 24 groups" exclusively of Italian origin and totaling 5,000 members. The term "Mafia" was not mentioned in the text of the report, although it was mentioned in a footnote as the name of this "nation-wide crime syndicate" [1967:1,6]. It was claimed that the 24 groups of this syndicate work with and control other rackets groups of other ethnic derivations.

This information was credited to the Kefauver and McClellan Senate Committee investigations of the 1950's and 1960's, which brought national attention

to organized crime. Based on the testimony of criminal-turned-informant Joseph Valachi in 1963, which said he had never heard of a "Mafia" but, rather, "La Cosa Nostra," the TFR concluded that this Italian-based syndicate had changed its name from the Mafia to La Cosa Nostra.

The report went on to detail the structure of each organized crime group, or "family," relying heavily on the testimony of Joseph Valachi 4 years earlier. The now familiar vernacular of "Commission," "boss," "underboss," and "soldier" were all detailed in this report. Although it was admitted that knowledge of organized crime at that time was comparable to "the knowledge of Standard Oil which could be gleaned from gasoline station attendants," the Task Force was not deterred from publishing elaborate charts and schematic diagrams of how these groups of La Cosa Nostra were supposedly organized in the United States [1967:33].

President Reagan's Commission on Organized Crime published seven volumes of hearings and four reports during its more than 2 years of existence. Although the Commission disbanded and submitted its final report to the President on April 1, 1986, the final report was not published and made available to the public until April 1987. Nevertheless, the Reagan Commission did its best to attract public attention. It held public hearings in a number of large cities at which primarily law enforcement officials testified about organized crime. The Commission's four ultimate reports included one on money laundering, labor racketeering, drug use and trafficking, and a final report.

It is clear that the definition of organized crime offered by the Reagan Commission was broader than that given 20 years earlier. In its hearings on organized crime of Asian origin, the Commission concluded,

Since the early 1960s, when Joseph Valachi provided dramatic testimony concerning activities of La Cosa Nostra (LCN), many people (including representatives from leading law enforcement agencies) have gained the impression that organized crime in the United States is dominated by, or consists almost totally of the LCN "families" whose members are of Italian origin [1984b:v].

*Dr. Albanese is associate professor of criminology and criminal justice, Niagara University, and visiting associate professor, School of Criminology, Simon Fraser University, Burnaby, British Columbia. This article is based on a paper presented at the annual meeting of the American Society of Criminology, Montreal, November 1987.

- Brakel, S. "Videotape in Trial Proceedings: A Technological Obsession." *American Bar Association Journal*, 1975, p. 61.
- Bross, Donald C. *Multidisciplinary Advocacy for Mistreated Children*. Denver: National Association of Counsel for Children, 1984.
- Cohen, Ronald L. and Mary Ann Harnick. "The Susceptibility of Child Witnesses to Suggestion." *Law and Human Behavior*, 4, 1980, pp. 201-215.
- Davidson, Howard A. and Josephine Bulkley. *Child Sexual Abuse—Legal Issues and Approaches*. Washington, DC: American Bar Association, 1980.
- Dent, Helen E. and Geoffrey M. Stephenson. "An Experimental Study of the Effectiveness of Different Techniques of Questioning Child Witnesses." *British Journal of Sociology and Clinical Psychology*, 41, 1979.
- Devine, Rayline A. "Sexual Abuse of Children: An Overview of the Problem." U.S. Department of Health and Human Services. Washington, DC: U.S. Government Printing Office, 1980.
- Finkelhor, David. "Child Sexual Abuse in a Sample of Boston Families." In *Child Sexual Abuse: New Theory and Research* (ed. D. Finkelhor). New York: Free Press, 1984.
- Finkelhor, David. "How Widespread is Child Sexual Abuse?" *Children Today*, 13, 1984, pp. 18-20.
- Finkelhor, David. "Removing the Child—Prosecuting the Offender in Cases of Sexual Abuse." *Child Abuse and Neglect*, 7, 1983, pp. 203-204.
- Galante, Mary Ann. "New War on Child Abuse." *National Law Journal*, 14, 1984, pp. 26-32.
- Goodman, Gail S. "Children's Testimony in Historical Perspective." *Journal of Social Issues*, 40, 1984, p. 12.
- Goodman, Gail S. and Joseph A. Michelli. "Would You Believe a Child Witness?" *Psychology Today*, November 1981, p. 81.
- Goodman, Gail S. and R. S. Reed. "Age Differences in Eyewitness Testimony." Unpublished manuscript, 1984.
- Heifer, R. "The Epidemiology of Child Abuse and Neglect." *Pediatric Annals*, 10, 1984, pp. 745-751.
- James, J. and J. Womack. "Physician Reporting of Child Sexual Abuse." *Journal of the American Medical Association*, 240, 1978, pp. 1145-1146.
- Johnson, Marcia K. and Mary Ann Foley. "Differentiating Fact from Fantasy: The Reliability of Children's Memory." *Journal of Social Issues*, 40, 1984, pp. 33-50.
- Katz, S. and M. Mazur. *Understanding the Rape Victim*. New York: Wiley, 1979.
- Libai, David. "The Protection of the Child Victim of a Sexual Offense in the Criminal Justice System." *Wayne Law Review*, 15, 1969, pp. 977-1032.
- Marquis, K. H., J. Marshall, and S. Oskamp. "Testimony Validity as a Function of Question Form, Atmosphere, and Item Difficulty." *Journal of Applied Social Psychology*, 2, 1972, pp. 167-186.
- McNeese, Margaret and Jean Hebel. "The Abused Child: A Clinical Approach to Identification." *Clinical Symposia*, 29, 1977, pp. 2-36.
- Mele, Sue. "Frequently Litigated Issues in Criminal Cases Involving Family Violence." In *Multidisciplinary Advocacy for Mistreated Children*, Denver: D.C. Bross, 1984.
- National Legal Resource Center for Child Advocacy and Protection. *Innovations in the Prosecution of Child Sexual Abuse*. Washington, DC: American Bar Association, 1981.
- Parker, Jackqueline Y. "Rights of Child Witnesses: Is the Court a Protector or Perpetrator?" *New England Law Review*, 16, 1982, pp. 643-717.
- Peterson, Sheryl K. "Sexual Abuse of Children: Washington's New Hearsay Exception." *Washington Law Review*, 58, 1983, p. 827.
- Plum, Henry. "Prosecuting a Case with Child Witnesses." Paper presented at Protecting Our Children, A National Symposium. Washington, DC October 1984.
- Pynoos, Robert and Spencer Eth. "The Child Witness to Homicide." *Journal of Social Issues*, 40, 1984, p. 98.
- Redeker, James R. "The Right of an Abused Child to Independent Counsel and the Role of the Child Advocate in Child Abuse Cases." *Villanova Law Review*, 23, 1978, pp. 527-530.

The Commission observed, however, that "...it is misleading to describe the more prominent Asian groups as "emerging groups" inasmuch as they engage in much illicit activity, corruption, and violence to protect their activities" [1984b:407].

Such a view of organized crime as involving much more than Italian-Americans is a significant departure from the focus of the 1967 report. This emphasis was further evidenced in other parts of the 1986 Commission investigation. At the conclusion of the hearings on cocaine distribution, for example, the Commission declared,

The testimony in this record portrays a state of war...a situation in which large, sophisticated organizations, based abroad but with agents and collaborators within our borders, have launched a massive, well-armed and well-financed invasion of our country by sea and air, resulting in thousands of our citizens being killed or disabled [1984d:477].

Similarly, the hearings on heroin distribution had a multi-ethnic approach. The Commission concluded that "...more and more groups of different ethnic origins are becoming substantially involved in heroin importation and distribution networks" [1985a:389]. The Commission's report on drugs concluded, "America's cocaine supply at present originates exclusively from South America" [1986b:73]. It also claimed that in 1984, "Mexican traffickers provided a 32 percent share of the heroin consumed in the United States" [p. 109]. Finally, the Commission also noted in the hearings on gambling that "not only the traditional organized crime groups, but also numerous emerging groups, participate in the lucrative gambling market" [1985c:vi]. In the final report, the Commission outlined the operations of organized crime among Italian-American groups, outlaw motorcycle gangs, prison gangs, Chinese, Vietnamese, Japanese, Cuban, Columbian, Irish, Russian, and Canadian criminal groups [1987:58-128].

It can be seen, therefore, that a great deal of emphasis was placed on organized criminal activity, *apart from* the traditional focus on Italian-American organized crime. This emphasis distinguishes the 1986 Commission investigation from the 1967 Task Force report.

Activities of Organized Crime Groups

The 1967 Task Force was emphatic in its claim that "law enforcement officers agree almost unanimously that gambling is the largest source of revenue" for organized crime [1967:2]. The report provided estimated figures of this revenue but admitted the figures may not be accurate.

The TFR claimed that loansharking "is the second largest source of revenue for organized crime" and

is funded by gambling profits [1967:3]. No reliable estimates of its magnitude were available.

Interestingly, only two paragraphs in the entire TFR were devoted to narcotics. It was found that narcotics are "imported by organized crime" and sold by independent pushers. Heroin was the only drug mentioned by name in the report. It was also concluded that prostitution and bootlegging "play a small and declining role in organized crime operations" and little attention was given these in the report [1967:4].

The TFR discussed the infiltration of legitimate business and how organized criminals invest illegal profits to establish a "legal source of funds." It was mentioned twice that organized criminals pay no taxes on these funds, but the "cumulative effect" of this problem "cannot be measured" [1967:5].

One additional form of organized criminal behavior addressed by the Task Force was labor racketeering, a discussion that consisted of only three paragraphs. The infiltration of labor unions was seen as a way to "enhance other illegal activities," such as "stealing from union funds and extorting money by threats of possible labor strife" [1967:5].

It is clear, therefore, that the 1967 Presidential investigation of organized crime focused heavily on gambling and loansharking, especially as conducted by groups of Italian-Americans. Much less attention was given to narcotics trafficking or labor racketeering.

The conclusions of the 1986 President's Commission ranked the activities of organized crime quite differently from the ranking provided in 1967. Also, the specific activities addressed were somewhat different.

The report on narcotics, for example, concluded that "This Commission has found drug trafficking to be the most widespread and lucrative organized crime activity in the United States" [1986b:2-3]. Furthermore, it accounts "for nearly 40 percent of this country's organized crime activity," and it generates an "annual income estimated to be as high as \$110 billion" [p.71]. This is a marked departure from the conclusions of the 1967 TFR which found gambling to be the largest and most lucrative organized crime activity.

The report on labor-management racketeering brought much more attention to the problem of labor racketeering than was given in the 1967 report. The Commission noted that although "the majority of unions and businesses have not been tainted by organized crime," there are severe problems in those organizations where organized crime exists [1986a:2; 1985b:vi].

Money laundering also received much more attention in the 1986 report than in the report 20 years earlier. Although no estimates were given of the amount of money laundered, it was concluded that police agencies recognize that "narcotics traffickers, who must conceal billions of dollars in cash from detection by the government, create by far the greatest demand for money laundering schemes" [1984c:7].

Finally, the Commission's hearings on gambling involved testimony regarding casino skimming, basketball betting, and boxing. No separate report on gambling was issued, however.

Political and Commercial Corruption

The 1967 Task Force Report found that "all available data indicate that organized crime flourishes only where it has corrupted local officials" [p.6]. This was because "neutralizing local law enforcement is central to organized crime's operations." A degree of immunity from prosecution is required to insure the continuance of the criminal enterprise. Although the TFR found "no large city is completely controlled by organized crime," it observed, nonetheless, "in many there is a considerable degree of corruption" [p. 6].

The major problem faced by the Task Force was that it was "impossible to determine" the extent of the corruption of public officials in the United States. This lack of information was aggravated by the fact that many of those providing information to the Task Force were, themselves, public officials (i.e., police or politicians).

The 1986 President's Commission on Organized Crime found there has been a failure of banks to cooperate adequately with the intent of the Bank Secrecy Act in reporting large cash transactions, suggesting the possibility of commercial corruption in not questioning the source of large cash deposits. Such cooperation was seen as necessary to fight laundering of illegally obtained cash. The clear connection between labor-racketeering and corruption was also spelled out by the Commission.

By manipulating the supply and costs of labor, organized crime can raise its competitor's costs, force legitimate businesses to deal with mob-run companies, and enforce price-fixing, bid-rigging, and other anti-competitive practices throughout an industry [1986a:1].

The Commission went on to recommend increased penalties and law enforcement efforts against narcotics, claiming such a policy "will not undermine organized crime policy" [1986b:464]. They noted, however, that there is evidence to the contrary that argues that by making narcotics a higher-risk

market, fewer, more sophisticated organizations result that increase the price of the product and the violence associated with it.

The Commission hearings found that gambling continues to be most conducive to corruption, due to the wide perception that it is not a serious activity.

Unlike illegal drugs, for example, which are in large part controlled by some form of organized crime and which are universally condemned, gambling is not an activity which is thought to be a harmful practice in and of itself, notwithstanding organized crime's persistent involvement. Much of what we saw and heard in the three days of hearings lends credence to the view that gambling, legal or illegal, is considered to be a relatively harmless pursuit, with no serious negative effects on society or the individual [1985c:637].

Corruption was seen by the 1986 Commission, therefore, as a more concrete issue with more definable limits, than in the 1967 report that found it was "impossible to determine its extent." The 1986 Commission was also more specific as to the causes of corruption. Nevertheless, the 1986 Commission, like the 1967 investigation, was dominated by information provided by public officials themselves. This may have worked against obtaining a reliable estimate of the true extent of official corruption related to organized crime.

National Efforts to Control Organized Crime

The TFR blamed the prevaasiveness of organized crime on "belated recognition" of the problem. It was not until the publicity generated by the Kefauver Committee in 1950, the Appalachen incident in 1957, and the McClellan Committee hearings in the early 1960's that organized crime received much public or official attention.

In 1954, the Department of Justice formed the Organized Crime and Racketeering Section to focus specifically on organized crime prosecutions, although by the early 1960's IRS tax investigations still netted the bulk of convictions related to organized crime. The TFR notes that the discovery of illicit Federal wiretaps and electronic surveillance in 1965 "slowed the momentum" of the prosecutive effort against organized crime [pp. 11-12].

Of the 71 cities surveyed by the Task Force it was found that 17 of the 19 cities with admitted organized crime problems had specialized organized crime units within their police departments. It was discovered that few special prosecutors were assigned to organized crime cases and that few programs to gather intelligence existed.

The TFR concluded that public and private crime commissions are among "the most effective vehicles for providing public information" about organized crime. They were found to be particularly helpful in

"exposing organized crime and corruption and arousing public interest" [p. 14].

Unlike the 1967 report, which proposed many new tools to combat organized crime, the 1986 Commission generally found existing tools to be adequate but were simply not seen as the answer in preventing organized crime over the long term. With regard to narcotics, for example, the Commission found that interdiction "is at best a random and occasional threat" as long as cocaine continues "in its current flood, unabated at its source." Furthermore, it was found that source country eradication will not succeed "unless it is comprehensive, long-term, and visibly supported by a national commitment" in the United States to stamp out demand [1984d:477].

Prosecution was also not seen as an effective solution for labor-racketeering. It was concluded that these rackets are "not easily deterred by prosecutive efforts that merely 'count bodies' as a measure of success" [1986a:6].

The data compiled by the Commission confirm that the government's emphasis on the "big four" international labor unions has been both justifiable and fruitful, but has not ended the control racketeers exercise over the unions [1986a:245].

The current prosecutive effort was found to be "fragmented, and lacks adequate coordination" among government agencies. A greater emphasis on civil remedies was encouraged "to bankrupt individual mobsters and to discourage union officers, employees, and public officials from accommodating organized crime" [1986a:5-6]. Unfortunately, the Commission undertook no evaluation of Federal prosecution efforts, due to a lack of cooperation by the Justice Department. This failure to carry out one of its primary objectives led to dissension among many of the commissioners and criticism of the Commission's work [Shenon, 1986; Writing, 1986].

Recommendations for the Future

The TFR cited in 1967 many existing shortfalls of efforts to combat organized crime, which were used as basis for recommendations for change. The most significant recommendations can be grouped into five categories.

First, the Task Force found that there are "difficulties in obtaining proof" in organized crime investigations. There were instances of noncooperation in victimless crimes and the reluctance of informants "to testify publicly" [p. 14]. The TFR recommended, among other suggestions, a witness protection program, a Federal wiretapping law, and a provision for special grand juries to be enacted by Congress. These recommendations were later to become law in 1968 and 1970.

Second, the TFR found a "lack of resources" in the fight against organized crime. Staffing problems, arrests for minor offenses, and poor pay for prosecutors were all cited as examples. As the TFR concluded, an effective investigation and prosecution effort may not be fruitful "without years of intelligence gathering." The push for agencies to pile up numbers of arrests and convictions "may divert investigative energy to meaningless low-level gambling arrests that have little effect on the criminal organizations" [p. 15]. It was recommended that state attorney generals and police departments in large cities establish specialized organized crime units.

Third, there was an apparent "lack of coordination" among investigators of organized crime. It was found that agencies "do not cooperate with each other in preparing cases, and they do not exchange information with each other." The threat of police corruption in organized crime cases results in officers and agencies who "do not trust each other." In addition, jurisdictional problems, and the failure to develop strategic intelligence were cited as continuing problems. Once strategic intelligence information was developed, it "would enable agencies to predict what directions organized crime might take, which industries it might try to penetrate, and how it might infiltrate." The need for special prosecutors, Federal technical assistance, and a Federal computerized information system for organized crime was suggested. It was noted, however, that "comprehensive strategic planning" will not be possible "even with an expanded intelligence effort," until "relevant disciplines, such as economics, political science, sociology, and operations research, begin to study organized crime intensively" [p. 15].

Fourth, The TFR criticized the "failure to use available sanctions" in organized crime cases. Gambling was cited as a specific example. It was recommended that extended prison terms for felonies committed as part of a continuing enterprise be established. This subsequently became law through the Racketeering and Corrupt Organizations section of the Organized Crime Control Act in 1970.

Fifth, the TFR cited the "lack of public and political commitment" in the fight against organized crime. Without public pressure, politicians "have little incentive" to be serious in efforts against organized crime. Permanent investigating commissions with subpoena power were recommended for the states, as were citizens' crime commissions, and better investigative reporting on organized crime by journalists that emphasizes its costs to the public.

The 1967 TFR concluded with four consultants' papers. Donald Cressey outlined the structure of

organized crime in the United States, as first developed by Joseph Valachi in 1963. John Gardiner conducted a case study of corruption in a small city. G. Robert Blakey wrote a paper that set forth the elements of the eventual Federal wiretapping law and parts of the Organized Crime Control Act of 1970. Finally, Thomas Schelling attempted to explain the existence of organized crime as a study in economics.

The 1986 President's Commission made recommendations for each of its identified problem areas: drugs, labor racketeering, money laundering, and gambling. The report on drugs made 13 recommendations arguing that drug policy "must emphasize more strongly efforts to reduce the demand for drugs" [1986b:463]. It was recommended that the cost of drug enforcement be subsidized by seizure and forfeiture of traffickers' assets and that the United Nations should sponsor a model "International Controlled Substances Act" to assist in eradicating narcotics distribution at its source.

With regard to labor-management racketeering it was found that the 1970 Racketeer Influenced and Corrupt Organization (RICO) provisions "and union decertification laws have been underutilized" [1986a:5]. Prosecutive efforts to remove racketeer influence over unions and legitimate businesses were seen as "largely ineffective."

This situation does not stem simply from too few laws or unavailable remedies. It arises from a lack of political will, a lack of fixed responsibility, and a lack of a national plan of attack [1986a:307].

The need for a national strategy to combat labor racketeering was recognized, as was better organization of prosecution efforts. It was suggested that antitrust offenses become eligible for electronic surveillance under Title III. Similarly, Title III wiretap authority was recommended for money laundering offenses, as was improved cooperation of financial institutions in enforcing the Bank Secrecy Act.

There was less consensus in strategies to fight gambling. There appeared to be disagreement over the priority that gambling enforcement should have in a strategy to reduce organized crime.

The extent to which illegal gambling should be targeted, either as unacceptable per se or as a revenue source for other... organized criminal activities, and the priority to be given to any such targeting, is one of the more challenging subjects facing policy makers and law enforcement officials in the near future [1985c:637].

Similar to the 1967 investigation, the 1986 Commission recommended several new laws, but many of these were suggestions that the states adopt laws that already exist on the Federal level, such as

wiretapping, witness immunity, special grand juries, and broad racketeering laws [1987:129-170]. As noted earlier, however, the impact of these existing laws on the Federal level was not examined.

The 1986 Commission report concluded with several appendices. First was a summary of five case studies of "mob connected" lawyers. This was followed by an economic model proposed by Wharton Econometric Forecasting Associates for estimating the income of organized crime. Third, there was a survey of prosecutors and regarding their access and use of various tools to combat organized crime. Finally, there was a paper by G. Robert Blakey that summarizes how organized crime is defined in statutes and case law.

TABLE 1. COMPARISON OF SIGNIFICANT DIFFERENCES BETWEEN THE 1967 AND 1987 PRESIDENTIAL INVESTIGATIONS OF ORGANIZED CRIME

<i>Task Force Report, 1967</i>	<i>President's Commission, 1987</i>
1. Nearly exclusive focus on organized crime of Italian-Sicilian groups.	Specific recognition of Asian, South and Central American organized crime role.
2. Only two paragraphs on narcotics in the report. Heroin was only drug mentioned by name.	Five days of hearings on cocaine and heroin and a 500-page interim report on drugs and organized crime.
3. Only three paragraphs devoted to labor racketeering in report.	Two days of hearings and a 400-page interim report and appendix on labor racketeering.
4. No specific mention of money laundering in the report.	A day of hearings and a 90-page report issued on money laundering.
5. Gambling seen as "largest source of revenue" to organized crime.	Less attention to gambling, and narcotics found to be largest source of revenue.
6. Great emphasis on criminal penalties to reduce organized crime involvement in drugs, etc.	Recognized that civil remedies may be more effective in reducing organized criminal activities.
7. Many proposals for new laws to combat organized crime (e.g., wiretapping, immunity, etc.) which have since become law.	Recognized that existing laws need to be more effectively utilized; fewer proposals for new laws made.

Table 1 outlines the major differences between the 1967 and 1987 Presidential investigations of organized crime. As discussed above, the most recent investigation is more expansive in its perception of

the scope of organized crime, and, if the Commissions are both correct in their conclusions, there has been a significant shift in organized crime activities in the last two decades.

Conclusion

Three interesting similarities can be noted in the two presidential investigations of organized crime. First, both Commissions recognized the pivotal role of money in funding organized criminal activity. In 1967, it was argued that "It is the accumulation of money, not the individual transactions themselves. . . that has a great and threatening impact on America" [p. 2]. Twenty years later, it was concluded that "Without means to launder money, thereby making cash generated by a criminal enterprise appear to come from a legitimate source, organized crime could not flourish as it now does" [1984c:3]. Therefore, it is the generation and accumulation of income that lies at the heart of organized crime. This would argue strongly for greater reliance on civil remedies in organized crime prosecutions.

Both Presidential investigations suggested more severe drug penalties on the grounds that they will affect drug trafficking. The basis for this belief is debatable, as noted above, and the experience of the last 20 years does not make it clear that long sentences for drug traffickers will reduce their incidence. It appears that still more attention must be given to civil penalties and efforts to reduce demand. Without reduced demand, the market for illicit drugs will never disappear.

Third, both investigations cited similar problems on more than one occasion. Both mentioned a lack of investigative resources, a lack of coordination among agencies, a failure to share information, a failure to make use of existing sanctions, and a lack of political or public conviction to fight organized crime. There is a continuing problem among law enforcement agencies in their unwillingness to cooperate in criminal investigations. Organized crime activity often takes place across several jurisdictions, and yet local, county, state, and Federal enforcement agencies appear unable to cooperate in the fight against organized crime. In many ways, the inefficiency of the law enforcement response assists the maintenance of criminal enterprises in keeping the risk of detection low.

This inefficiency of law enforcement efforts was a major component of the political controversy that surrounded the release of the 1986 Commission

report. The Commission consisted of 18 members, yet 10 of them filed a joint supplemental report claiming that the Commission did not do "an adequate job in assessing the effectiveness of the [law enforcement] response to organized crime" [1987:176]. Likewise, these commissioners held that the Commission's efforts were also not adequate in assessing the criminality of "other ethnic groups," and the Commission itself was poorly organized in that final drafts of Commission reports "were not even shown to Commission members before publication" [1987:173]. As a consultant to the Commission concluded, "The Commission will not be remembered for what it did. It will be remembered for the job that it didn't do" [G. Robert Blakey, cited in Shenon, 1986a].

REFERENCES

- President's Commission on Law Enforcement and Administration of Justice. [1967] *Task Force Report: Organized Crime*. Washington, DC: U.S. Government Printing Office.
- President's Commission on Organized Crime. [1983] *Organized Crime: Federal Law Enforcement Perspective*. Record of Hearing I. November 1983. Washington, DC: U.S. Government Printing Office.
- _____. [1984a] *Organized Crime and Money Laundering*. Record of Hearing II. March 1984. Washington, DC: U.S. Government Printing Office.
- _____. [1984b] *Organized Crime of Asian Origin*. Record of Hearing III. October 1984. Washington, DC: U.S. Government Printing Office.
- _____. [1984c] *The Cash Connection: Organized Crime, Financial Institutions, and Money Laundering*. Interim Report. Washington, DC: U.S. Government Printing Office.
- _____. [1984d] *Organized crime and Cocaine Trafficking*. Record of Hearing IV. November 1984. Washington, DC: U.S. Government Printing Office.
- _____. [1985a] *Organized Crime and Heroin Trafficking*. Record of Hearing V. February 1985. Washington, DC: U.S. Government Printing Office.
- _____. [1985b] *Organized Crime and Labor-Management Racketeering in the United States*. Record of Hearing VI. April 1985. Washington, DC: U.S. Government Printing Office.
- _____. [1985c] *Organized Crime and Gambling*. Record of Hearing VII. June 1985. Washington, DC: U.S. Government Printing Office.
- _____. [1985d] *The Edge: Organized Crime, Business and Labor Unions: Appendix*. October 1985. Washington, DC: U.S. Government Printing Office.
- _____. [1986a] *The Edge: Organized Crime, Business, and Labor Unions*. Interim Report. March 1986. Washington, DC: U.S. Government Printing Office.
- _____. [1986d] *America's Habit: Drug Abuse, Drug Trafficking and Organized Crime*. Interim Report. March 1986. Washington, DC: U.S. Government Printing Office.
- _____. [1987] *The Impact: Organized Crime Today*. April 1986. Washington, DC: U.S. Government Printing Office.
- Shenon, Philip. [1986] "Crime Panel Issues Its Final Report." *The New York Times*, April 2, 1, B8.
- Shenon, Philip. [1986a] "U.S. Crime Panel: Discord to the End." *The New York Times*, April 4, 16.
- "Writing the Book on the Mob." [1986] *The New York Times*, April 5, 26.